

CITY OF SAN BRUNO

COMMUNITY DEVELOPMENT DEPARTMENT



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STAFF

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Tony Rozzi, *Assistant Planner*
Lisa Costa Sanders, *Contract Planner*
Margaret Netto, *Contract Planner*
Pamela Thompson, *City Attorney*

PLANNING COMMISSION

Sujendra Mishra, *Chair*
Rick Biasotti, *Vice-Chair*
Kevin Chase
Mary Lou Johnson
Bob Marshall, Jr.
Perry Petersen
Joe Sammut

**PLANNING COMMISSION
STAFF REPORT
AGENDA ITEM NO. E2
October 17, 2006**

PROJECT LOCATION

1. Address: 436 N. San Anselmo Avenue
2. Assessor's Parcel No: 020-391-340
3. Zoning District: R-2 (Low Density Residential District)
4. General Plan Classification: Low Density Residential
5. San Bruno Redevelopment Area

EXHIBITS

- A: Site Location
B: Site Plan, Floor Plans, and Elevations

REQUEST

Request for Use Permit to allow the construction of an addition that exceeds the .55 floor area ratio guideline by 19 square feet per Section 12.200.030.B.2 of the San Bruno Zoning Ordinance. Richard M. Caponuevo, Romoco Design Group (Applicant), Ismael Balderas (Owner). **UP-06-024**

RECOMMENDATION

Staff recommends that the Planning Commission **approve** Use Permit 06-024 based on the Findings of Fact (1-6), subject to Conditions of Approval (1-19).

REVIEWING AGENCIES

Community Development Department
Public Works Department
Fire Department

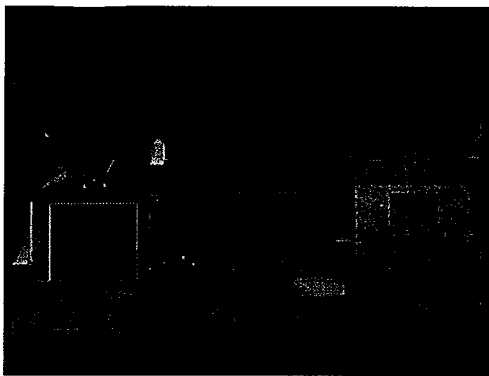
LEGAL NOTICE

1. Notices of Public Hearing mailed to owners of property within 300 feet on October 6, 2006.
2. Advertisement published in the *San Mateo Daily Journal*, Saturday, October 7, 2006.

ENVIRONMENTAL ASSESSMENT

This project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor Expansions to Existing Facilities.

EXISTING CONDITIONS



The subject property is located on the east side, mid-block of North San Anselmo Avenue, between Florida Avenue and Sylvan Avenue. This is a rectangular-shaped lot with a total size of 5,000 square feet. The property is currently developed with a contemporary style, two bedroom and one bathroom, 1,082 square foot one-story residence with a 326 square foot attached one-car garage and a 475 square feet detached workshop.

This home was built in 1939. The neighborhood that surrounds the subject property contains a consistent type of residential style, incorporating stucco finish and asphalt shingle roof material, given that the area was developed at roughly the same time. The area includes single-family and multi-family dwellings.

SURROUNDING LAND USES

North: Sylvan Avenue - R-2 Zone, low density residential
South: Florida Avenue - R-2 Zone, low density residential
East: Milton Avenue - R-2 Zone, low density residential
West: Mastick Avenue - R-2 Zone, low density residential

PROJECT DESCRIPTION

The proposed project includes a second story addition, construction of a detached two-car garage and removal of the detached workshop and attached garage. The first floor addition and remodel would add approximately 190 net square feet and remove the existing garage and workshop area, which currently measures 801 square feet, allowing for construction of a new detached garage and expansion of the kitchen and dining room.

The second floor addition would be 1,058 square feet allowing for two bedrooms (including a master bedroom), two full bathrooms, family room, and office. If approved and constructed, this would be a 4-bedroom, 3-bathroom home with a 441 square foot two-car garage. Project details are shown in the following table:

SITE CONDITIONS		ZONING REQUIREMENTS	EXISTING CONDITIONS	PROPOSED CONDITIONS
Land Use		R-2	R-2	same
Lot Area		Min. 5,000 sq. ft	5,000 sq. ft	same
Lot Coverage		Max. 2,200 sq. ft (44%)	1,882 (38%)	1,711 sq. ft (35%)
Gross Floor Area		Max. 2,750 sq. ft	1,882 sq. ft	2,769 sq. ft
Floor Area Ratio		55%	38%	55.3%
Building Setbacks	Front	15'-0" to home 20'-0" to garage	10'-0" to home and garage	10'-0" to home 77'-0" to garage
	Rear	10'-0"	3'-8" detached workshop 50' to house	3'8" to detached garage 50' to house
	L Side	5'-0" 1"-0'detached accessory	3'-0" to house, 4'-0" to detached workshop	13'-6" to house, 4'-6" to detached garage
	R Side	1"-0'detached accessory 5'-0"	5'-0"	5'-0"
Building Height		28'-0"	13'-0"	25'6"
Covered Parking		2 spaces	1 space	2 spaces

* Notes:

Gross Floor Area includes garage area

Square Footage Breakdown:

	Ground floor	Second Floor	Detached Workshop	Garage	Total
Existing	1081	-	*475	*326	1882
Remove			-475	-326	-801
Proposed	190	1058	-	441	1689
Total	1270	1058	0	441	2,769

- Notes: Existing garage and workshop to be removed

ADDITIONAL INFORMATION

- Accessory Structures:** There is an existing workshop located in the rear yard that is proposed to be replaced with a two-car garage.

- **Code Enforcement:** There are no pending code enforcement cases on file on this property.
- **Easements:** Subdivision maps on file in the Public Works Department indicate that there are no easements on this site.
- **Heritage Trees:** There are no heritage trees onsite that will be affected by this proposal.

BACKGROUND

The Architectural Review Committee (ARC) reviewed the project at its September 14, 2006 meeting and forwarded the project to the Planning Commission with a favorable recommendation and the following comments:

- Bring color and material samples to Planning Division prior to Planning Commission meeting.
- Show gutters and downspouts on elevation plans.
- The applicant shall provide a decorative band between the first and second to further break up the elevation.
- The applicant shall provide windows on the north and south elevations to break up the blank wall which will add balance to the elevation.

Commissioners Mishra, Sammut and Chase were present for this item.

The architect has since revised the plans with all of the Architectural Review Committee comments incorporated in the plans.

PROJECT ANALYSIS:

This proposal is before the Planning Commission to obtain approval of a Use Permit to allow the expansion of the existing house that will exceed the .55 floor area ratio guideline by 19 square feet (.553), as set forth in the City of San Bruno Zoning Ordinance per Section 12.200.030.B.2. Currently, the existing home has a .38 floor area ratio. The applicant is proposing a 1,689 square foot addition to a 1,882 square foot residence. The applicant proposes to demolish the existing one-car garage and workshop in order to construct a detached two-car garage.

*Pursuant to the City's Zoning Code, the Commission shall grant the Use Permit if it makes the following findings (required findings are in **bold** followed by staff's analysis of the project's merits and whether the finding can be made):*

1. **The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use.**

With the condition that the applicant obtain a building permit prior to construction, the addition will be constructed according to the Uniform Building Code and therefore will not be detrimental to the health, safety and general welfare of the persons residing in the neighborhood. The proposed garage will be constructed 4'-6" from the left side property line and 3'-8" from the rear property line, both of which exceed the required 1'-0" setback. The new side setback to the home will 13'-6" on the left side property

line and 5' from the right side property line, complying with the setback requirements to provide for fire safety construction and egress requirements. The proposed side yard setbacks comply with the required setbacks for an addition and detached garage. Therefore, the development will not be detrimental to the health and safety of the persons residing in the neighborhood.

2. The proposed development will not be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the city.

The applicant is proposing a two-story Spanish/Mediterranean style home. The proposed addition generally complements the current neighborhood design, both in scale since it is adjacent to other two-story homes and with its architectural features such as a front porch with arched entry columns and windows and stucco finish with brick wainscoting. Also the use is consistent with the permitted uses of low-density residential district neighborhood. The home is located within a neighborhood consisting of large single-family and legal non-conforming multi-family homes. On-street parking in the neighborhood area should not be negatively impacted since the applicant is proposing to construct a two-car garage to meet the property's off-street parking code requirements and will provide for a 75'-0" side driveway to the rear of the property, which should provide additional off-street parking space.

The proposed addition is an investment in the property and by its general conformance to regulations as set forth in the Zoning Ordinance and is an improvement to the existing structure. Therefore, the addition will not be detrimental to improvements in the neighborhood or to the general welfare of the city.

3. The proposed development will be consistent with the general plan.

Goal 3 of the City's 1984 General Plan states "encourage public and private development which is aesthetically sensitive to the surrounding environment and is of the highest quality design and construction." The addition has been designed with the highest quality by incorporating architectural details to the proposed structure to add interest to the building. New front porch with arched entry columns; arched windows and stucco finish with brick wainscoting are proposed to add visual diversity to the home. All these features add to the character of the structure and ensure that the development will be developed with the highest quality design and construction. Additionally, the applicant has added a decorative band and additional windows to help break up the mass of the second story per the Architectural Review Committee's suggestions.

Furthermore, Residential Policy 1 states "protect the residential character of existing neighborhoods". The two-story Spanish/Mediterranean style home, with stucco finish and brick wainscoting, arched entry columns and windows are similar in style to other homes found in the immediate neighborhood.

The San Bruno General Plan designates the property as low-density residential district and the proposed addition to the single-family structure is consistent with this residential general plan designation. The home's design will continue to accommodate a single family only and no portion is intended as a second unit. Any future establishment of a second dwelling unit on the property would require Planning Division review.

4. The proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not

hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood.

The proposed structure will not unreasonably restrict or interfere with light and air on the properties in the neighborhood since the structure will maintain required setback distances from the north and south property lines, as well as remaining below the maximum height guideline of 28 feet with a 25'-6" proposal. The roof design incorporates a 4 and 12 hipped roof pitch, which creates less shadow on adjacent properties due to their sloped design.

The second story addition proposed matches the existing contemporary, home's exterior materials of stucco and brick wainscoting. The architect has added distinguishing Spanish/Mediterranean features; arched windows, porch, arched front entry area and low-pitched hipped roof to complement the existing contemporary style. The new second level will have stucco to match the existing ground level. At the request of Staff and ARC committee, in order to break up the levels between the floors, the applicant has designed a decorative band between the 1st and 2nd stories.

The proposed structure is similar in size and scale with the two-story residences found adjacent to the project. The second story was designed with articulation, similar to the other two-story homes on N. San Anselmo Avenue.

5. That the general appearance of the proposed building, structure, or grounds will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood.

The character of the addition will be consistent with the scale and design of the other homes in the immediate neighborhood and is generally pleasing in its architectural style. The home's expansion proposes to match the existing contemporary, single-level home's exterior materials of stucco and brick wainscoting. Staff supports the design of the proposed addition given that the finished materials will match the existing home and those of the nearby homes.

The west (front) elevation provides for a new front door and two new archways to the existing porch with the second level stepped back from the first level, which adds dimension to this elevation. The varied rooflines and proposed arched windows break up the elevation.

The east (rear) elevation is broken up with varied wall breaks along the second floor allowing exposure of the first floor roof. The applicant has revised the plans to include an additional window in the proposed master bedroom suit on the north elevation to break up the blank wall space. The applicant has also revised the plans to include a window on the first level of the north elevation to further break up the elevation and add balance. Staff supports the design of the proposed addition given that the finished materials will match the existing home and those of the nearby homes.

The proposed residence will be an improvement not only to the subject property but will also have a beneficial impact on the modest and well-maintained neighborhood, which is comprised of contemporary style homes and multi-family residential units. On-street parking should be positively impacted by this proposal, as the applicant is providing a two car garage and 75'-0" long driveway to replace the existing

one-car garage.

6. The proposed expansion complies with applicable off-street parking standards of the zoning ordinance.

The subject property contains an attached one-car garage which is proposed to be removed and replaced with a two-car detached garage and 75'-0" long driveway. Therefore, all off-street parking standards will be met with this proposal.

PUBLIC COMMENTS

None were submitted prior to the Public Hearing.

RECOMMENDATION

Based on the above analysis and Findings of Fact 1-6 below, Staff recommends approval of Use Permit 06-024 subject to conditions 1-19 below.

FINDINGS OF FACT

1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use as the new addition will require the applicant to obtain a building permit that complies with the Uniform Building Code and, required set backs are met.
2. The proposed development will not be injurious to the neighborhood or to the City as a whole as it generally complements the current neighborhood design, both in scale and with its architectural features and is consistent with other homes found in the neighborhood.
3. The proposed development will be consistent with the general plan, since the proposed development meets the general plan designation of low-density residential for the subject property. Any establishment of a second dwelling unit on the property would require Planning Division review and approval.
4. The proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property or other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood, since the structure maintains larger side setbacks than the minimum required by code.
5. The general appearance of the proposed architectural design will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood since this addition has been designed with appropriate articulation and fenestrations.
6. The proposed expansion has provided a detached two-car garage which complies with applicable off-street parking standards of the zoning ordinance.

CONDITIONS FOR APPROVAL

Community Development Department – (650) 616-7074

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 06-024 shall not be valid for any purpose. Use Permit 06-024 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for a Use Permit for an addition shall be built according to plans approved by the Planning Commission on October 17, 2006, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit. The rental of a room does not qualify as a secondary dwelling unit. Any attempt to construct an illegal dwelling unit will result in Code Enforcement action by the City.
7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
8. The proposed addition shall be engineered by a structural engineer. Plans and calculations shall be submitted, stamped and signed by a structural engineer at the time of building permit.

Department of Public Works – (650) 616-7065

9. Install a sanitary sewer lateral clean out at property line per City standards details SS-01.
10. No fence, retaining wall, or other permanent structure to be placed within two feet from back of sidewalk. S.B.M.C. 8.08.010

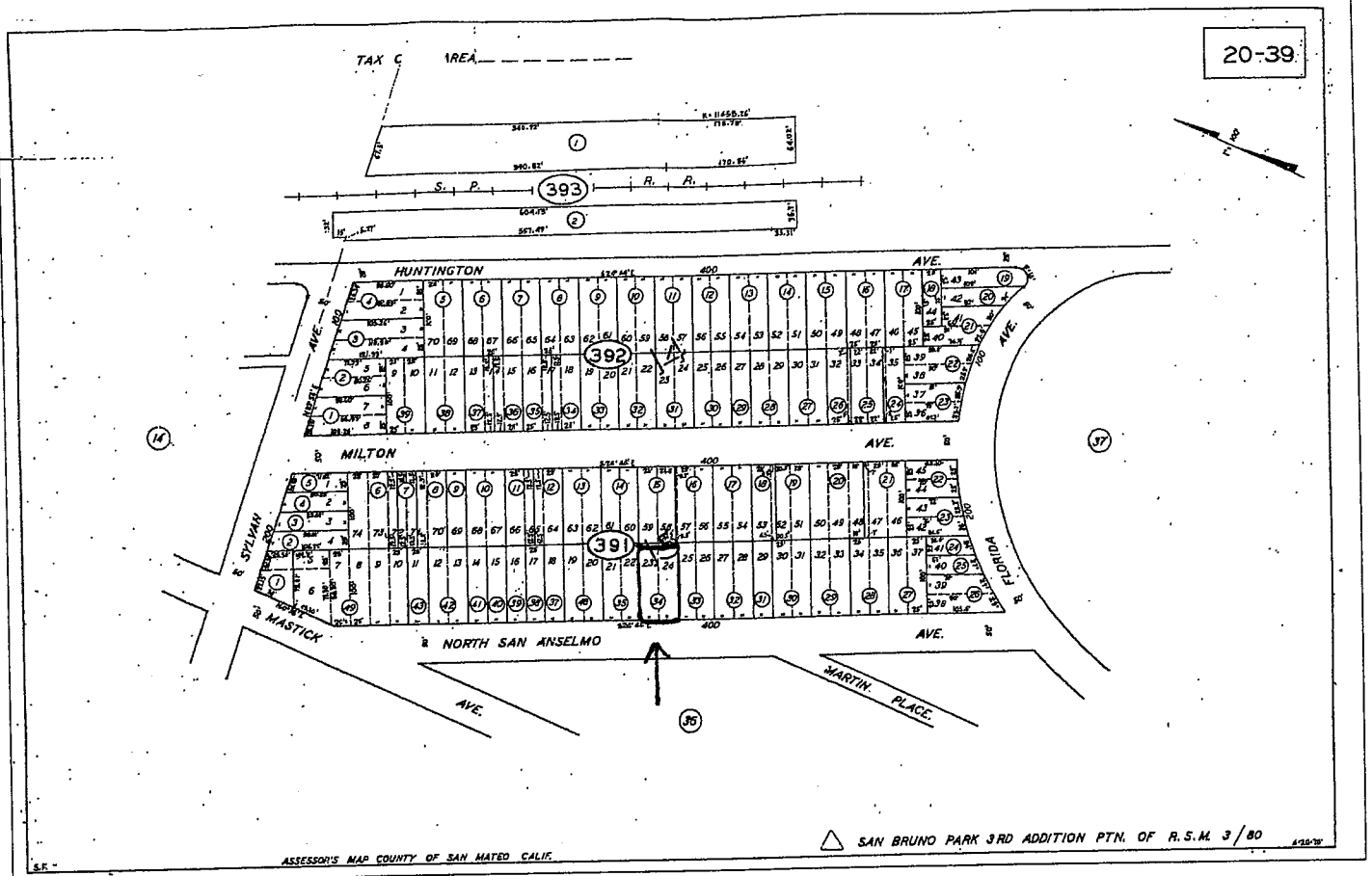
11. Encroachment Permit from Engineering Department required prior to work. S.B.M.C. 8.16.010
12. Erosion control plan and storm water pollution plan required. Must show existing storm drain inlets and other storm water collection locations protect by silt screens or silt fence. Work shall conform with the current NPDES requirements. S.B.M.C. 12.16.020
13. Storm water from new and existing roof down-spouts, shall be collected and drained to an underground storm water system or through an undersidewalk curb drain to the gutter per City standards detail SI-03. Chapter 11, UPC 1101.1. Fifty percent permitted to drain to landscape allowed.
14. Removal of un-permitted under sidewalk curb drain, bubble-up or other sidewalk drainage required. Replace with City standard under sidewalk curb drain, detail S1-03 Erosion control plan. Illegal driveway approach shall be removed.
15. Planting of one 36-inch box size approved tree or payment of \$540.00 each to the in-lieu replacement tree fund. S.B.M.C. 8.24.060

Fire Department – (650) 616-7096

16. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
17. Provide spark arrestor for chimney.
18. Provide hardwired smoke detectors with battery backup to all bedrooms and hallways.
19. The project must comply with all future Fire Department conditions, as required during the plan check review by the Building and Safety Department.

Submitted on October 5, 2006:

Margaret Netto
Contract Planner



Information compiled from various sources. Real Estate Solutions makes no representations or warranties as to the accuracy or completeness of information contained in this report.

436 North San Anselmo Avenue
020-391-340
UP-06-24

Exhibit A – Site Location



DESIGN BY:
RICHARD M. CAMPUENUEVO

OWNER:

436 N. SAN ANSELMO AVE
SAN BRUNO, CA 94066
PHONE (650) 303-6732

SHEET NAME:

(E) FLOOR PLAN

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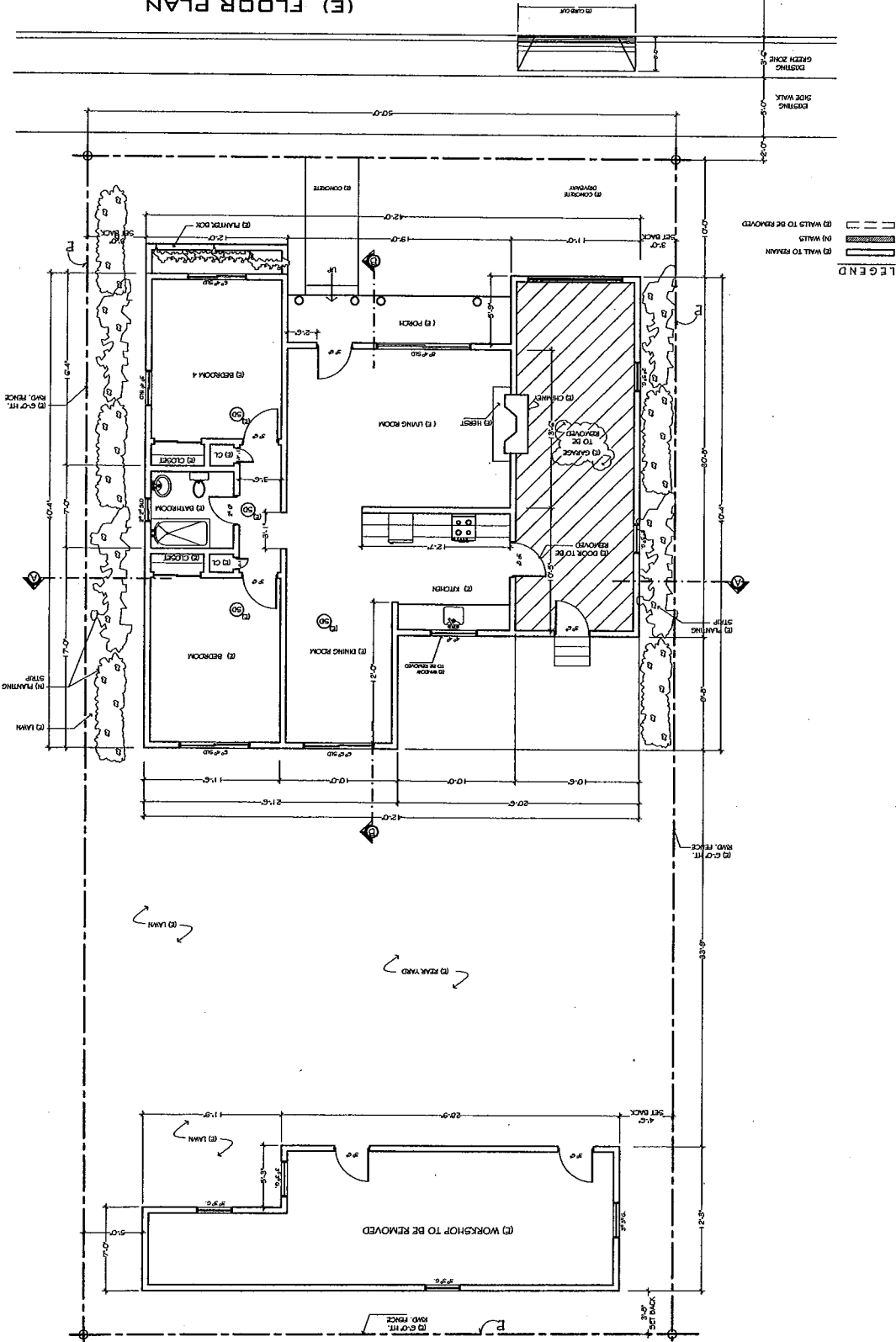
CAD DRAWN BY:
ANA BUSTAMANTE
CHECKED BY: R M C

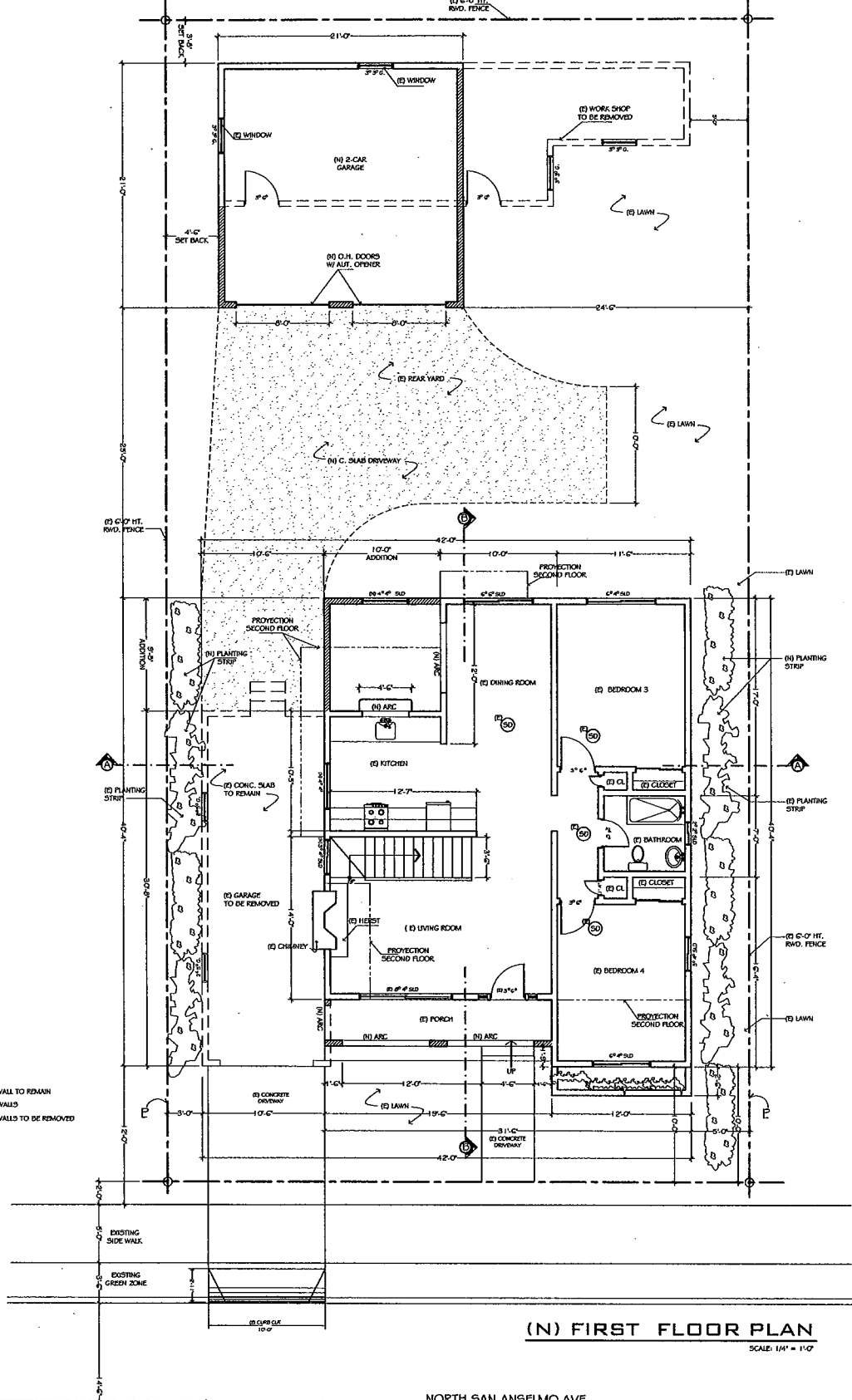
SHEET No:

A-2

OF SHEETS

NORTH SAN ANSELMO AVE.





(N) FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"

NORTH SAN ANGELO AVE



DESIGN BY:
RICHARD M. CAMPOREALE

REMARKS:
REMODELING
RESIDENCE

OWNER:

MR. ISMAEL &
PATRICIA BALDERAS

488 N. SAN ANGELO AVE.
SUITE 100
DALLAS, TEXAS 75246
PHONE (214) 303-6732

SHEET NAME:

(N) FIRST FLOOR PLAN

REVISIONS

BY

CAD DRAWN BY:
ANA BUSTAMANTE/BC
CHECKED BY: R.M.C.

SHEET No:

A-3

OF SHEETS



DESIGNERS GROUP
2350 JUNIPERO SERRA BOULEVARD
DALY CITY CALIFORNIA 94015
PHONE: (650) 755-4217 FAX: (650) 997-3007
E-MAIL: ROMOCO@ADL.COM

DESIGN BY:
RICHARD M. CAMPUENUEVO

REMARKS:

REMODELING
RESIDENCE

OWNER:

**MR. ISMAEL &
PATRICIA BALDERAS**

436 N SAN ANSELMO AVE.
SAN BRUNO, CA. 94066
PHONE (650) 303-6732

SHEET NAME:

CONDN FLOOR
PLAN

REVISIONS BY

1

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CAD DRAWN BY:
ANA BUSTAMANT
CHECKED BY: R

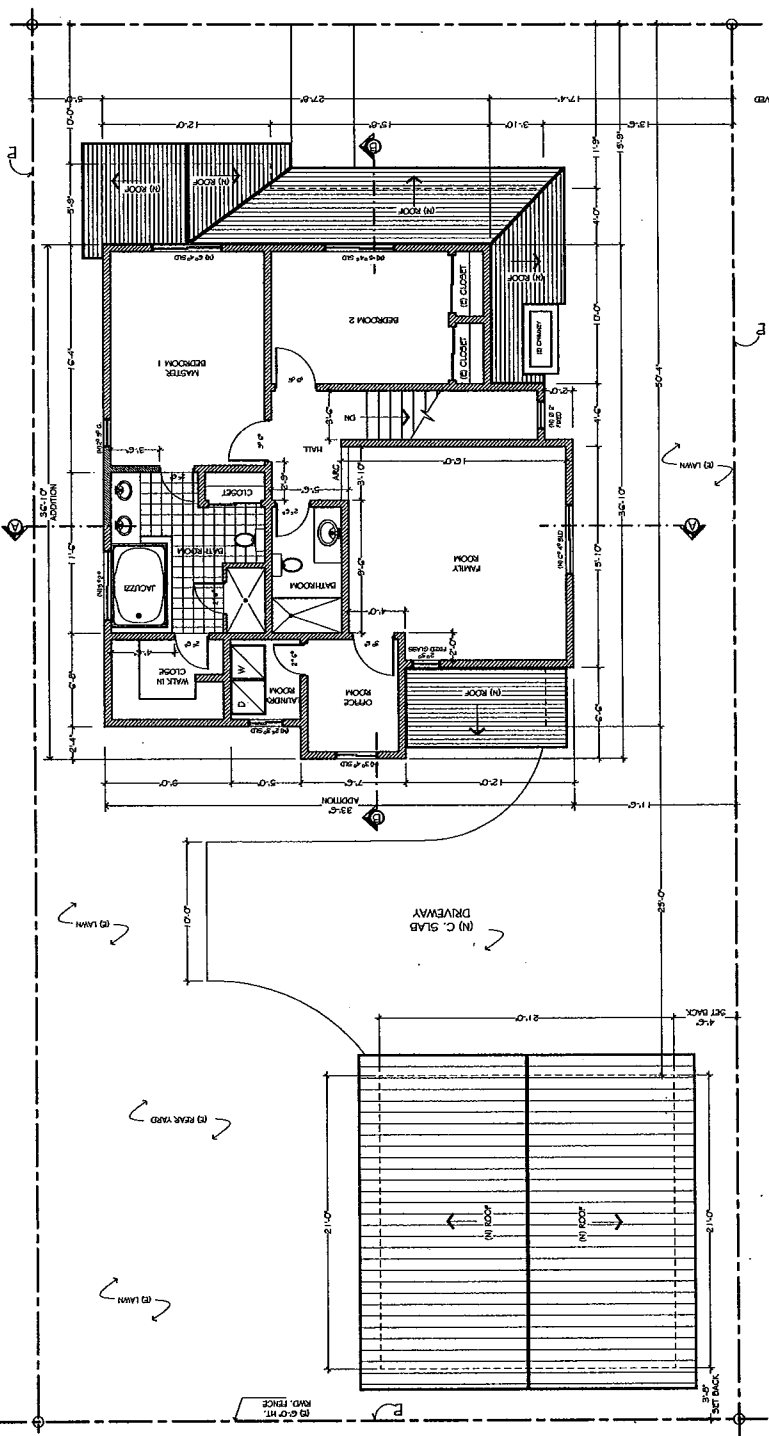
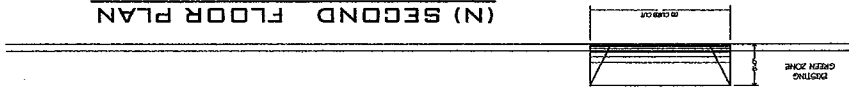
SHEET No:

A-4




OF SHEETS

(N) SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"



LEGEND

(2) STAFF TO BE REMOVED	
(1) STAFF	
(3) STAFF TO REMAIN	

LEGEND



DESIGN BY:
RICHARD M. CAMPUENUEVO

REMARKS:
REMODELING
RESIDENCE

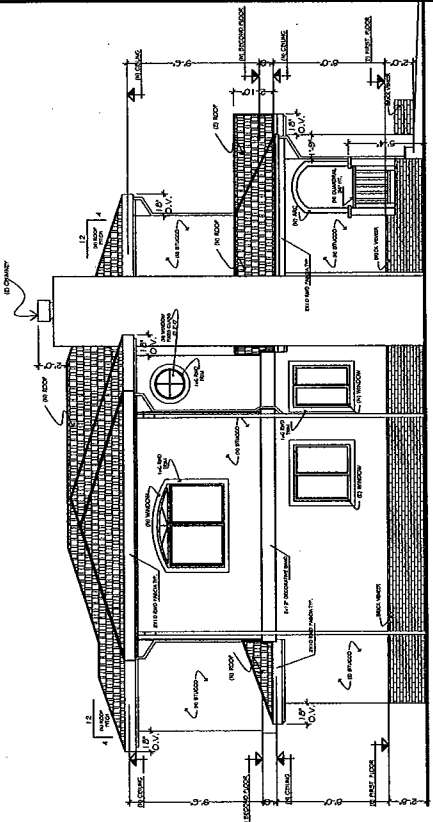
OWNER:
**MR. ISMAEL &
PATRICIA BALDERAS**
436 N. SAN ANGELO AVE.
SAN ANTONIO, TEXAS 78202
PHONE (512) 303-6732

SHEET NAME:
ELEVATIONS

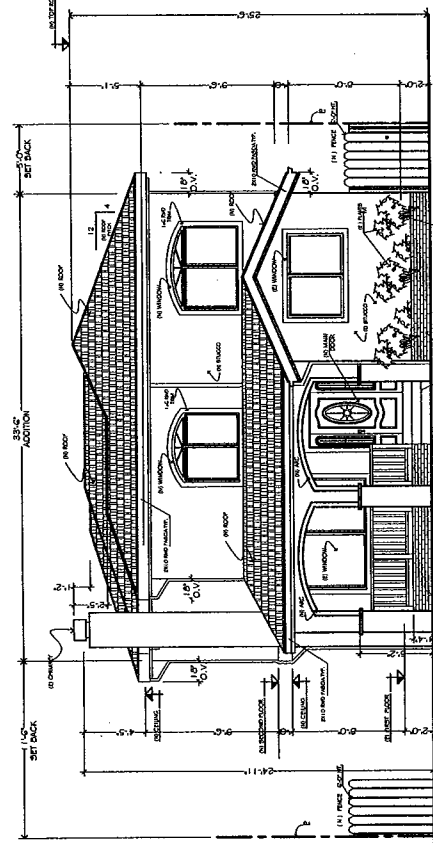
REVISIONS	BY

CAD DRAWN BY:
ANA BUSTAMANTE
CHECKED BY: R.M.C

SHEET No:
A-5
OF SHEETS

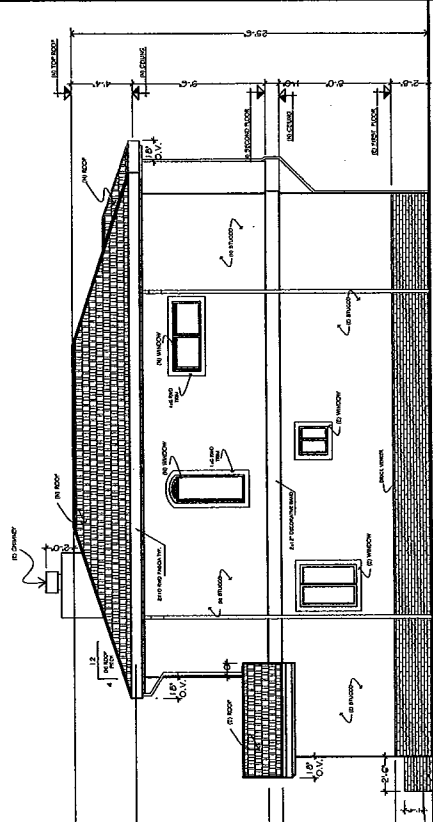


NORTH ELEVATION
SCALE 1/4" = 1'-0"

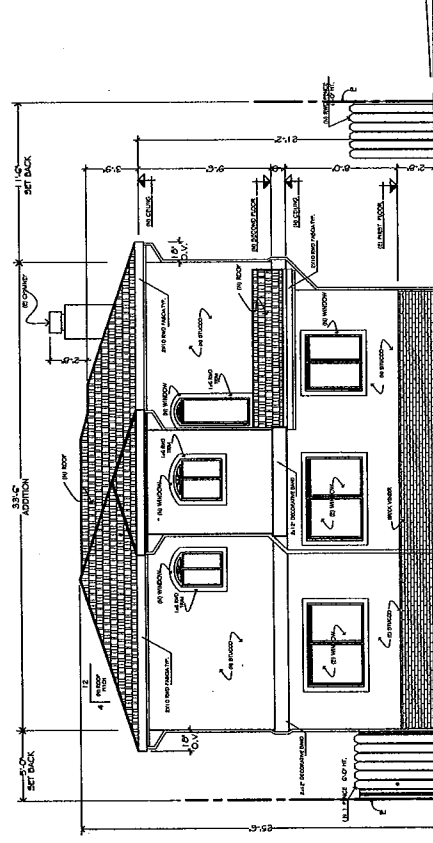


(N) WEST ELEVATION
SCALE 1/4" = 1'-0"

NOTE:
NEW ROOF TO MATCH EX
IN COLOR AND SHINGLE TYPE
AS SHOWN



SOUTH ELEVATION
SCALE 1/4" = 1'-0"



(N) EAST ELEVATION
SCALE 1/4" = 1'-0"



ROMOCO
DESIGNERS GROUP
2800 JEFFERSON AVENUE
SAN FRANCISCO, CA 94134
PHONE: (415) 774-1217 FAX: (415) 774-3007
EMAIL: ROMOCO@AOL.COM

DESIGN BY:
RICHARD M. CAMONUOVO

REMARKS:
REMODELING
RESIDENCE

OWNER:

**MR. ISMAEL &
PATRICIA BALDERAS**

435 N. SAN ANSELMO AVE.
SAN ANSELMO, CA 94066
PHONE: (650) 303-6732

SHEET NAME:

SECTIONS

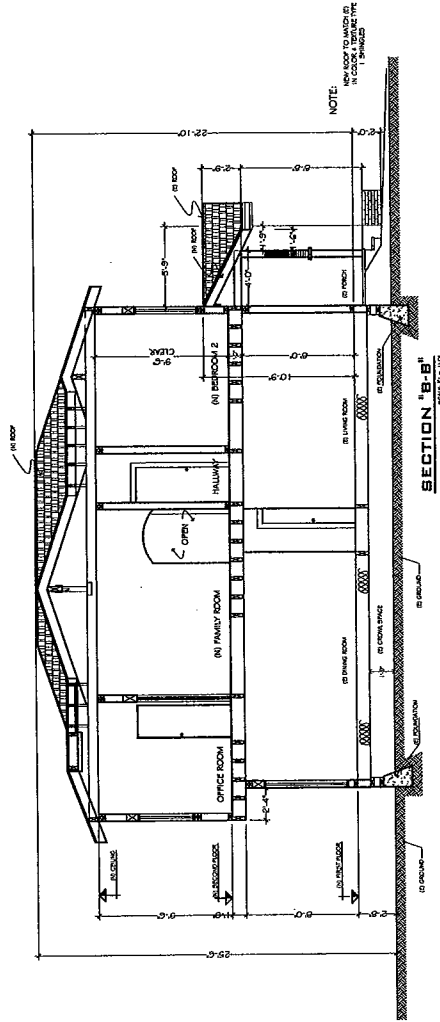
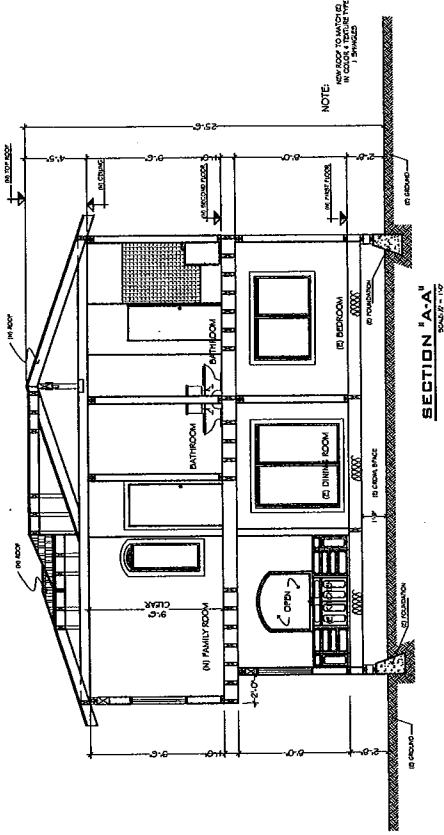
REVISIONS	BY

OLD DRAWN BY:
ANA BUSTAMANTE
CHECKED BY: R.M.C

SHEET No:

A-6

OF SHEETS



CITY OF SAN BRUNO

COMMUNITY DEVELOPMENT DEPARTMENT



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Perry Petersen
Joe Sammut

**PLANNING COMMISSION
STAFF REPORT
AGENDA ITEM NO. E3
October 17, 2006**

PROJECT LOCATION

1. Address: 1237 Williams Avenue
2. Assessor's Parcel No: 020-083-120
3. Zoning District: R-1 (Low Density Residential District)
4. General Plan Classification: Low Density Residential

EXHIBITS

- A:** Site Location
B: Site Plan, Floor Plans and Elevations

REQUEST

Request for Minor Modification and Use Permit to allow the construction of an addition which increases the gross floor area by 75.6% and proposes to extend a 3' side yard setback along the right side property line per Section 12.120.010.A and 12.200.030.B.1 of the San Bruno Zoning Ordinance. Craig and Sharon Leary (Owners/Applicant). **MM-06-008, UP-06-025**

RECOMMENDATION

Staff recommends that the Planning Commission **approve** Minor Modification 06-008 and Use Permit 06-025 based on Findings of Fact (1-6), subject to revisions and Conditions of Approval (1-19).

REVIEWING AGENCIES

Community Development Department
Public Works Department
Fire Department

LEGAL NOTICE

1. Notices of Public Hearing mailed to owners of property within 300 feet on October 6, 2006
2. Advertisement published in the *San Mateo Daily Journal*, Saturday, October 7, 2006

ENVIRONMENTAL ASSESSMENT

This project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor Expansions to Existing Facilities.

EXISTING CONDITIONS



The subject property is located on the south side of Williams Avenue, between Cypress Avenue and Chestnut Avenue. This is an irregular rectangular-shaped lot with a front lot width of 53 feet and rear lot width of 76 by 100 feet in length for a total size of 6,332 square feet. The property is currently developed with a craftsman style 1,200 square foot one-story residence with a 229 square foot attached one-car garage. The existing home has three bedrooms and one bathroom.

This home was built in 1947. The neighborhood that surrounds the subject property contains a consistent type of residential style; incorporating stucco finish and asphalt

shingle roof material, given that the area was developed at roughly the same time. The area is a single-family dwelling neighborhood.

SURROUNDING LAND USES

North: Kains Avenue - R-1 Zone, Single-family residential
South: Park Avenue - R-1 Zone, Single-family residential
East: Chestnut Avenue - R-1 Zone, Single-family residential
West: Cypress Avenue - R-1 Zone, Single-family residential

PROJECT DESCRIPTION

The proposed project includes a single story addition and construction of an attached two-car garage. The first floor addition and remodel would add approximately 1,081 square feet to expand the existing garage to a two-car garage and allow for construction of a master bedroom suite and bath, bedroom, family room and expansion of the kitchen.

If approved and constructed this would be a 3-bedroom, 3-bathroom home with a 400 square foot, two-car garage. Project details are shown in the following table:

SITE CONDITIONS		ZONING REQUIREMENTS	EXISTING CONDITIONS	PROPOSED CONDITIONS
Land Use		R-1	R-1	same
Lot Area		Min. 5,000 sq. ft	6,332 sq. ft 5,762 sq. ft. adjusted	same
Lot Coverage *		Max. 2,200 sq. ft (44%)	1,429 (25%)	2,510 sq. ft (43.5%)
Gross Floor Area *		Max. 2,750 sq. ft	1,429 sq. ft	2,510 sq. ft
Floor Area Ratio		.55	.25	.435
Building Setbacks	Front	15'-0"	18'6"	15'
	Rear	10'-0"	29'-0"	15'
	W Side E Side	5'-0" 5'-0"	3'-0" 16'-0"	3'-0" (extended) 9'-0"
Building Height		28'-0"	16'-4"	18'-6"
Covered Parking		2 spaces	1 space	2 spaces

Notes:

- Gross Floor Area includes garage area
- Driveway will be set back 20' from curb (full size)
- Floor Area and Lot Coverage ratios are based on adjusted lot size

Square Footage Breakdown:

	Ground floor	Second Floor	Garage	Total
Existing	1,200	-	229	1,429
Remove	-	-	-	-
Proposed	910	-	171	1,081
Total	2,110	0	400	2,510

BACKGROUND

The Architectural Review Committee (ARC) reviewed the project at its September 14, 2006 meeting and forwarded the project to the Planning Commission with a favorable recommendation and the following comments:

- Bring color and material samples to Planning Division prior to Planning Commission meeting.
- Show gutters and downspouts on elevation plans.
- Revise the proposed right side addition to reflect a hip roof instead of the proposed gable.

Commissioners Mishra, Sammut and Chase were present for this item.

The architect has since revised the plans with all of the Architectural Review Committee comments

incorporated in the plans.

ADDITIONAL INFORMATION

- **Accessory Structures:** There is an existing shed (less than 120 s.f.) located in the rear of the property which is proposed to remain.
- **Code Enforcement:** There are no pending code enforcement cases on file on this property.
- **Easements:** Subdivision maps on file in the Public Works Department indicate that there are no easements on this site.
- **Heritage Trees:** There are no heritage trees onsite that will be affected by this proposal.
- **Previous additions or alterations:** There are no previous additions or alterations located on this property.

PROJECT ANALYSIS:

This proposal is before the Planning Commission to obtain approval of a Use Permit and Minor Modification to allow the construction of a new house which proposes to increase the existing floor area by more than 50% which results in a gross floor area greater than 2,143 square feet and to encroach into the side yard setback.

Specifically, the applicant is proposing a 1,081 square foot addition to a 1,429 square foot residence for a total of 2,510 s.f., a 75.6% expansion. The applicant is also proposing a 24'-0" continuation of the non-conforming 3'-0" right side yard setback to the rear of the property. Current zoning standards require a 5' side yard setback unless a minor modification permit is obtained. Section 12.120.010.B states that the Planning Commission may authorize a Minor Modification for projects failing to meet the minimum side yard setback requirements by not more than two feet.

Minor Modification 06-008

Pursuant to the City's zoning code, the Minor Modification for the requested 3' side yard setback extension shall only be approved if the Planning Commission can make the following two required findings: (required finding in **bold** followed by staff's analysis of the merits of the project and how the findings can be made)

- 1. The general appearance of the proposed building or structure; or modification thereof is in keeping with the character of the neighborhood**

The applicant is proposing to construct the main portion of the addition to the rear of the existing bedrooms where it will not be visible from the street. In order to construct a new two-car garage, provide for expansion of the kitchen area and construct a new family room, the applicant is requesting modification to the setback requirements. The proposed 3' setback extends the existing, legally nonconforming setback. The surrounding neighborhood contains many homes that were also constructed with 3' side yard setbacks, since the subdivision was constructed in 1947 and prior to current setback requirements. Therefore, the granting of the 3' side yard setback extension is in keeping with the

character of the neighborhood in terms of side elevations. Regarding the front elevation, the side setback encroachment is to the rear of the existing structure and therefore will not alter the general appearance of the home.

2. The proposed building or structure; or modification thereof will not be detrimental to adjacent real property.

The addition is designed as a single story addition with the bulk of the addition toward the rear of the house, therefore not creating significant shadow or privacy impact on the adjacent property. The applicant has redesigned the plans per comments from the ARC committee with a hip roof parallel to the neighbors, approximately 2 feet taller than the existing structure. These architectural design considerations reduce the potential impact of the addition to the adjacent neighbors and provide for the maximum privacy and enjoyment of their property. The proposed structure will remain a single story, therefore not creating significant shadow on the adjacent property. The adjacent neighbor to the west of the property will not be impacted due to the single story nature of the project.

The addition is designed well and is attractive from all viewpoints. Staff supports the approval of the minor modification to allow the reduced side yard setbacks based on a determination that it will not be detrimental to the adjacent real property and that if approved, the project will be in keeping with the character of the neighborhood. The project will not be detrimental to real property as there will still be sufficient distance between homes, similar to the separation between homes found in the immediate neighborhood and through out San Bruno. Furthermore, given that the application proposal is for a single-story addition, all privacy issues will be mitigated by the 6' high fence, which divides the two properties.

Use Permit-06-25

The applicant is proposing a 75.6% expansion to an existing residence. Any addition, which expands the gross floor area by more than 50%, requires a use permit. Pursuant to the city's zoning code, the use permit shall only be approved if the following findings can be made: (required finding in **bold** followed by staff's analysis of the merits of the project and how the findings can be made)

1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use.

With the condition that the applicant obtain a building permit prior to construction, the addition will be constructed according to the Uniform Building Code (UBC) and therefore will not be detrimental to the health, safety and general welfare of the persons residing in the neighborhood. The proposed structure will be set back 3' from the left side property line and 9' from the right side property line. Both side yard setbacks meet all UBC safety requirements. Therefore, the development will not be detrimental to the health and safety of the persons residing in the neighborhood.

2. The proposed development will not be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the city.

The applicant is proposing a single-story contemporary style home with a front porch, decorative column,

rectangular-shaped windows and stucco finish with asphalt composite roof material. The proposed addition generally complements the current neighborhood design, both in scale and with its architectural features and is consistent with the permitted uses of the low-density residential zoning district. On street parking in the neighborhood area should not be positively impacted by this project as the applicant is proposing to replace a nonconforming one-car garage with a standard two-car garage.

The proposed addition is an investment in the property and by its general conformance to the regulations as set forth in the Zoning Ordinance and is an improvement to the existing structure. Therefore, the addition will not be detrimental to improvements in the neighborhood or to the general welfare of the city.

3. The proposed development will be consistent with the general plan.

Goal 3 of the City's 1984 General Plan states "encourage public and private development which is aesthetically sensitive to the surrounding environment and is of the highest quality design and construction." The addition has been designed with the highest quality by incorporating architectural details to the proposed structure to add interest to the building. The new front porch with decorative column, rectangular shaped windows and stucco finish with asphalt composite roof material will add visual diversity to the home. All these features add to the character of the structure and ensure that the development will be developed with the highest quality design and construction.

Furthermore, Residential Policy 1 states "protect the residential character of existing neighborhoods". The single-story contemporary style home, with stucco finish and asphalt composite roof material, decorative entry column and windows are similar in style to other homes found in the immediate neighborhood.

The general plan designates the property as low-density residential district and the proposed addition to the structure is consistent with this residential general plan designation. The home's design will accommodate a single family only and no portion is intended as a second unit. Any establishment of a second dwelling unit on the property would require Planning Division review.

4. The proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood.

The proposed structure will not unreasonably restrict or interfere with light and air on the properties in the neighborhood since the structure will maintain required setback distance from the property line requirements except for the right side yard setback, as well as remaining well below the maximum height limit of 28 feet (current proposal is 18'-6"). The roof design incorporates a 5 and 12 hipped roof pitch, which creates less shadow on adjacent properties due to its sloped design.

The home's addition proposes to match the existing contemporary home's exterior materials of stucco and asphalt roof material. The north (front) elevation provides for a new front entry with new decorative column, two gable roof pitches and new two-car garage door. The existing porch and new entry is stepped back from the new two-car garage, which adds dimension to this elevation. The varied rooflines,

proposed windows and new garage door break up the elevation.

The proposed structure is similar in size and scale with the single-story residences found adjacent to the project. The second story was designed with articulation, similar to the other single-story homes on Williams Avenue.

5. That the general appearance of the proposed building, structure, or grounds will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood.

The home's expansion proposes to match the existing contemporary, single-level home's exterior materials of stucco and asphalt shingle roof material. Staff supports the design of the proposed addition given that the finished materials will match the existing home and those of the nearby homes.

The south (rear) elevation is broken up with varied wall breaks and a bay window, French doors and a deck. The new family room is set back from the proposed addition breaking up the mass of the addition.

Regarding the west (right) elevation, the applicant is requesting a minor modification to encroach into the side yard setback two feet in order to construct a new two-car garage, expand the kitchen and construct a new family room. The elevation provides for a varied roofline, several complementary windows, two doors and off-setting wall line, which breaks up the mass and adds visual interest to the elevation. The proposed side setback extension will not restrict light and air on the adjacent property to the west and is consistent with other side yard setbacks found in the immediate neighborhood.

The east (left) elevation, proposes varied wall line, windows, and roof line with sky light which break up the elevation while adding visual interest and depth. The proposed 9' setback exceeds the required distance by 4' and therefore will not unreasonably restrict light and air on the subject property to the east.

The proposed residence will be an improvement not only to the subject property but will also have a beneficial impact on the modest and well-maintained neighborhood, which is comprised of eclectic contemporary style homes.

6. The proposed expansion complies with applicable off-street parking standards of the zoning ordinance.

The subject property contains an attached one-car garage, which will be expanded to create a two-car garage as part of this proposal. A two car wide driveway is also proposed, which should provide additional off street parking area. All off-street parking standards will be met with this proposal.

PUBLIC COMMENTS

None were submitted prior to the Public Hearing.

RECOMMENDATION

Based on the above analysis and Findings of Fact 1-6 below, Staff recommends approval of Use Permit 06-07 subject to conditions 1-19 below.

FINDINGS OF FACT

1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use as the new addition will require the applicant to obtain a building permit that complies with the Uniform Building Code, and required set backs are met.
2. The proposed development will not be injurious to the neighborhood or to the City as a whole as it generally complements the current neighborhood design, both in scale and with its architectural features and is consistent with other homes found in the neighborhood.
3. The proposed development will be consistent with the general plan, since the proposed development meets the general plan designation of low-density residential for the subject property. Any establishment of a second dwelling unit on the property would require Planning Division review and approval.
4. The proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property or other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood.
5. The general appearance of the proposed architectural design with a minor revision to the right side elevation roof line, will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood since this new home has been well designed with appropriate articulation and fenestrations
6. The proposed expansion has provided a detached two-car garage which complies with applicable off-street parking standards of the zoning ordinance.

CONDITIONS FOR APPROVAL

Community Development Department – (650) 616-7074

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Minor Modification 06-008 and Use Permit 06-025 shall not be valid for any purpose. Minor Modification 06-008 and Use Permit 06-025 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.

3. The request for a Minor Modification and Use Permit for an addition shall be built according to plans approved by the Planning Commission on October 17, 2006, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit. The rental of a room does not qualify as a secondary dwelling unit. Any attempt to construct an illegal dwelling unit will result in Code Enforcement action by the City.
7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.

Department of Public Works – (650) 616-7065

8. Install a sanitary sewer lateral clean out at property line per City standards details SS-01.
9. No fence, retaining wall, or other permanent structure to be placed within two feet from back of sidewalk. S.B.M.C. 8.08.010
10. Encroachment Permit from Engineering Department required prior to work. S.B.M.C. 8.16.010
11. Replace all broken or raised concrete in sidewalk or driveway approach as marked. S.B.M.C. 8.12.010. Marking shall take place under Building Review.
12. Storm water from new and existing roof down-spouts, shall be collected and drained to an underground storm water system or through an undersidewalk curb drain to the gutter per City standards detail SI-03. Chapter 11, UPC 1101.1. Fifty percent permitted to drain to landscape allowed.
13. Removal of un-permitted under sidewalk curb drain, bubble-up or other sidewalk drainage required. Replace with City standard under sidewalk curb drain, detail S1-03Erosion control plan. Illegal driveway approach shall be removed.
14. Remove weeds and grass from sidewalk, curb and gutter. Prune other plantings in the right-of-way. S.B.M.C. 8.24.140/150/180.

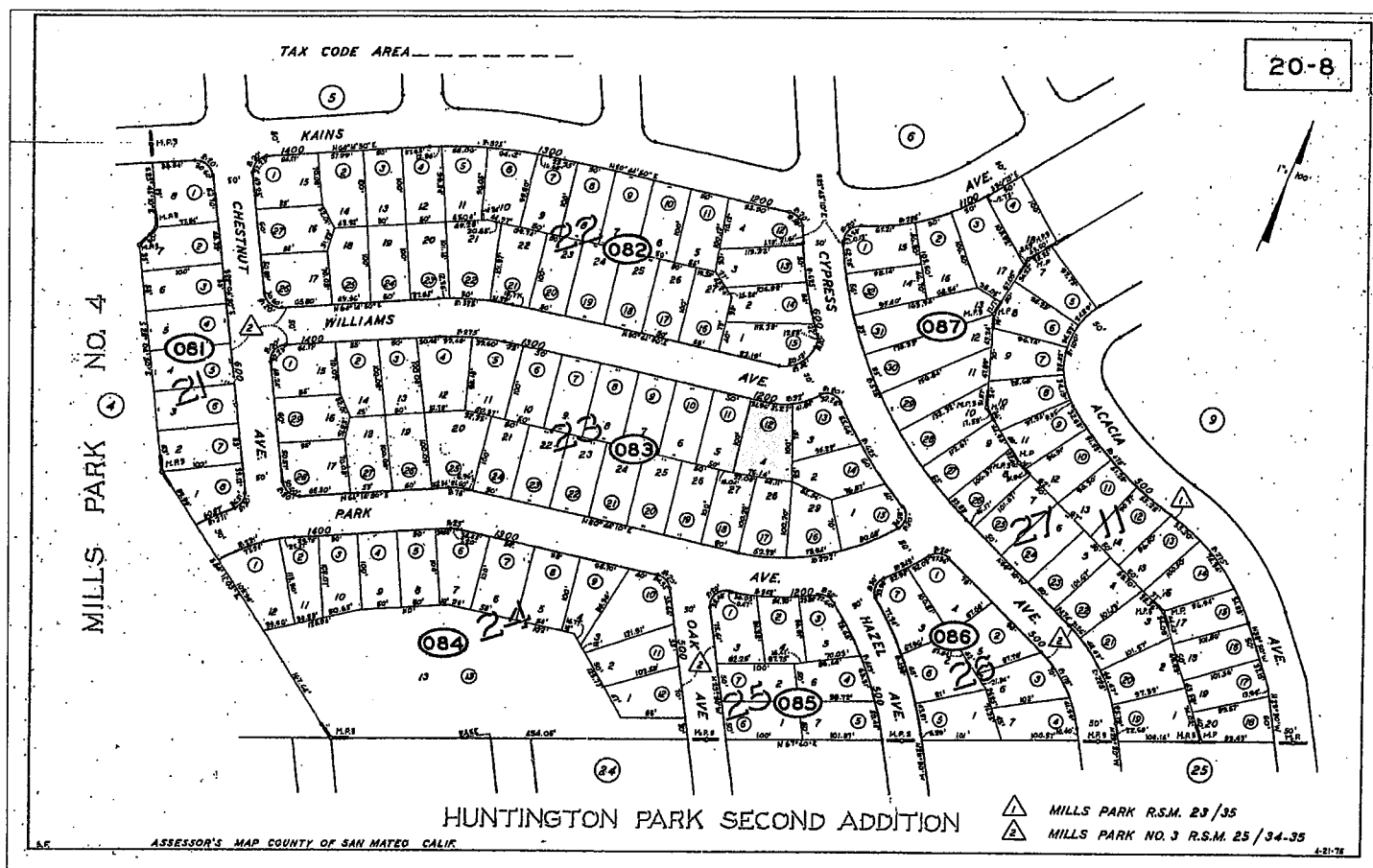
15. Planting of one 36-inch box size approved tree or payment of \$540.00 each to the in-lieu replacement tree fund. S.B.M.C. 8.24.060

Fire Department – (650) 616-7096

16. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
17. Provide spark arrestor for chimney.
18. Provide hardwired smoke detectors with battery backup to all bedrooms and hallways.
19. The project must comply with all future Fire Department conditions, as required during the plan check review by the Building and Safety Department.

Date of Preparation: October 5, 2006

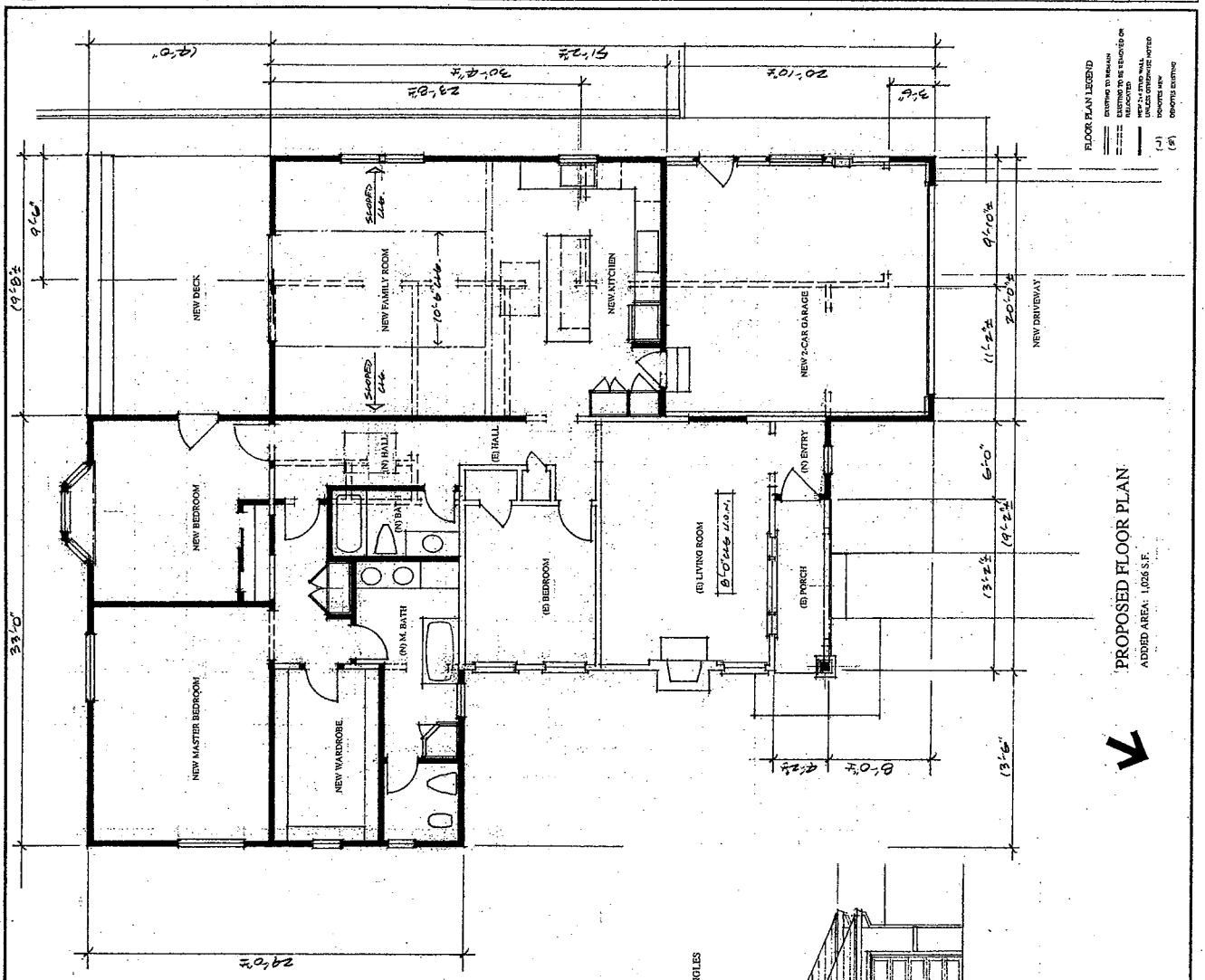
Prepared by: Margaret Netto, Contract Planner



Information compiled from various sources. Real Estate Solutions makes no representations or warranties as to the accuracy or completeness of information contained in this report.

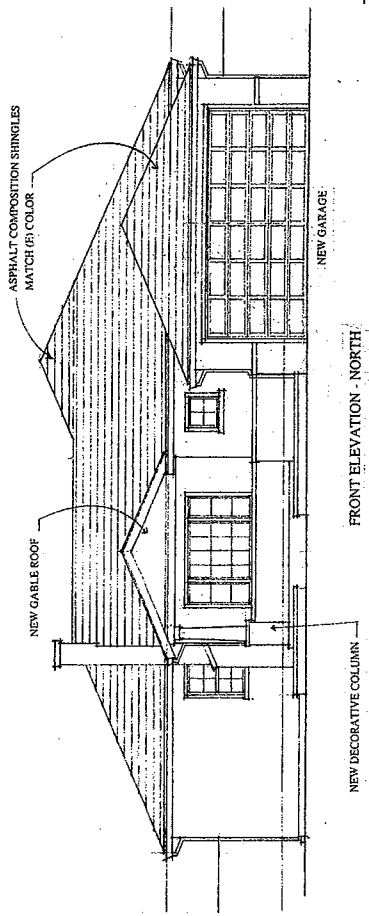
1237 Williams
020-083-120
MM-06-008, UP-06-25

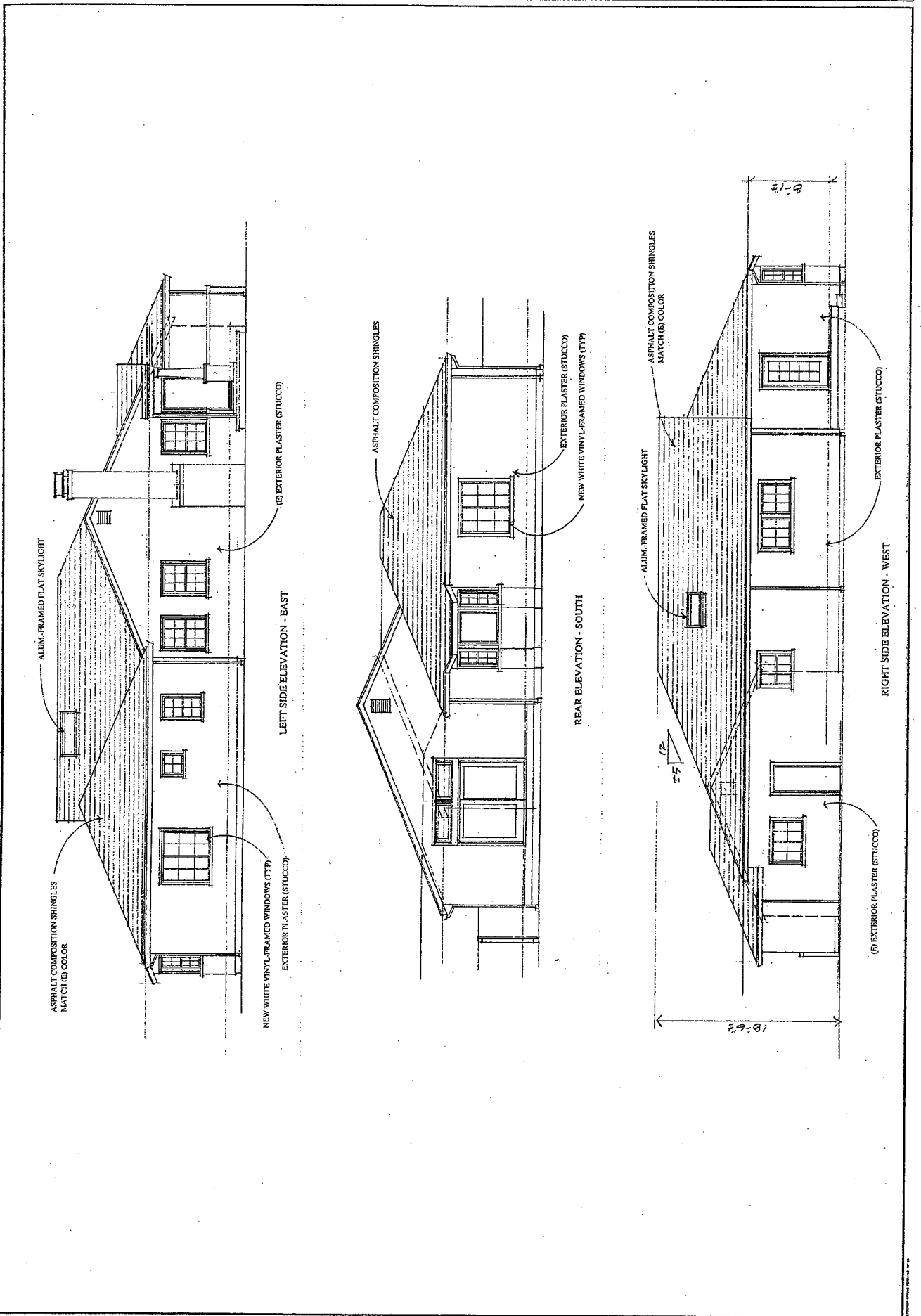
Exhibit A – Site Location



FLOOR PLAN LEGEND
 --- EXISTING TO REMAIN
 --- EXISTING TO BE REMOVED OR
 --- NEW
 --- UNLESS OTHERWISE NOTED
 (1) EXISTING NEW
 (2) EXISTING EXISTING

PROPOSED FLOOR PLAN
 ADDED AREA: 1,026 S.F.







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Margaret Netto, *Contract Planner*
Pamela Thompson, *City Attorney*

PLANNING COMMISSION

Sujendra Mishra, *Chair*
Rick Biasotti, *Vice-Chair*
Kevin Chase
Mary Lou Johnson
Bob Marshall, Jr.
Perry Petersen
Joe Sammut

**PLANNING COMMISSION
STAFF REPORT
AGENDA ITEM NO. E4
October 17, 2006**

PROJECT LOCATION

1. Address: 2061 Willow Way
2. Assessor's Parcel No: 017-094-020
3. Zoning District: R-1 (Single-Family Residential District)
4. General Plan Classification: Low Density Residential

EXHIBITS

- A:** Site Location
B: Site Plan, Floor Plans, and Elevations
C: Previous Planning Commission Staff Report – July 15, 2003
D: Previous Planning Commission Minutes – July 15, 2003

REQUEST

Request for a Use Permit for a single story addition, which would increase the existing floor area by 67% and where the 2nd story front plane would not be setback five feet further than the front setback of the first story, per Section 12.200.030.B.1 & 12.200.010(B)(2) of the San Bruno Zoning Ordinance. Sergio Galmanez (Applicant) Iris Vasquez (Owner) **UP-06-029**

RECOMMENDATION

Staff recommends that the Planning Commission **approve** Use Permit 06-29 based on the Findings of Fact (1-6), subject to Conditions of Approval (1-16).

REVIEWING AGENCIES

Community Development Department
Public Works Department
Fire Department

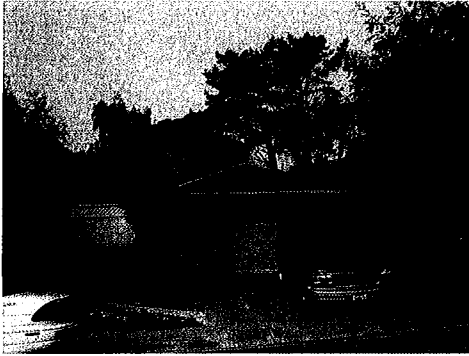
LEGAL NOTICE

1. Notices of Public Hearing mailed to owners of property within 300 feet on October 6, 2006.
2. Advertisement published in the *San Mateo Daily Journal*, Saturday, October 7, 2006.

ENVIRONMENTAL ASSESSMENT

This project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor Expansions to Existing Facilities.

EXISTING CONDITIONS



The subject property is a rather large lot located on Willow Way just south of Evergreen Drive. Currently there is a 10' locked fence that prevents anyone from accessing the front door, a condition of approval in the original Planning Commission application was added to address this issue. The existing home is 1,644 square feet which includes a two car garage.

SURROUNDING LAND USES

North: Evergreen Drive – R-1 (Single-Family Residential District); single-family dwellings
 South: Cottonwood Drive– R-1 (Single-Family Residential District); single-family dwellings
 East: Oakmont Drive– R-1 (Single-Family Residential District); single-family dwellings
 West: Fleetwood Drive– R-1 (Single-Family Residential District); single-family dwellings

PROJECT DESCRIPTION

The applicant has proposed a 341 s.f. first floor addition and a new 847 s.f. second story addition. If approved, this project would add 1,188 s.f. to the home with a new living room on the first floor and two new bedrooms on the new second floor. Project details are shown in the following table:

SITE CONDITIONS		ZONING REQUIREMENTS	EXISTING CONDITIONS	PROPOSED CONDITIONS
Land Use		Single-family residence	Same	Same
Lot Area		5,000 sq.ft.	14,082 sq. ft. 8,308 sq. ft. (adjusted)	Same
Lot Coverage		3,655 sq. ft. (44%) based on 8,308 sq. ft. lot	1,644 sq. ft. (19.7%)	2,018 sq. ft. (24%)
Gross Floor Area		4,569 sq. ft.	1,644 sq. ft.	2,758 sq. ft. *
Floor Area Ratio		.55	.197 based on 8,308 sq. ft. lot	.33 based on 8,308 sq. ft. lot
Building Setbacks	Front	15'	15'	23'6"
	Rear	10'	76'6"	same
	Sides	5 feet	50'5" (W), 19'(E)	50'5" (W), 6'-6"(E)
Building Height		28 feet	14.5 feet	23.5 feet
Covered Parking		2 covered spaces	2 car garage	2 car garage

* Notes:

- Gross Floor Area includes 440 s.f. garage area

Square Footage Breakdown:

	Downstairs	Upstairs	Garage	Total
Existing:	1,130	-	440	1,570
Proposed:	341	847	-	1,188
Total:	1,471	847	440	2,758

ADDITIONAL INFORMATION

- **Accessory Structures:** There is a small tool shed located in the side yard. Although no building permit was ever issued for this structure, this shed is less than 120 square feet. Therefore, no building permit is necessary and the shed may remain on the property.
- **Code Enforcement:** There are no pending code enforcement cases on file on this property. However, as noted, the 10'-0" front yard fence will have to be removed.
- **Easements:** Subdivision Maps on file in the Public Works Department indicates that there are no easements on this site.
- **Heritage Trees:** There are several heritage trees onsite but none will be affected by this proposal.

BACKGROUND

On July 15, 2003, the Planning Commission approved (6-0) the Use Permit to allow the construction of an addition to an existing residence which increased the floor area by more than 50%. However, the use permit has since expired because a building permit was not secured prior to the one (1) year date as stated in Condition #1 of the staff report. According to Municipal Code Section 12.128.010 time limits for Use Permits "shall become null and void if not exercised within one year". Therefore, the applicant has resubmitted the application with no changes from the previously approved application.

The Architectural Review Committee (ARC) first reviewed this application at its May 15, 2003 meeting and had a number of problems/concerns with the application. The problems ranged from interior circulation concerns to design issues. After the meeting the designer made several significant revisions to the proposal to comply with the ARC's suggestions. The Architectural Review Committee again reviewed the project at its June 12, 2003 meeting and forwarded the application to the Planning Commission with the following recommendations:

- Change the shape of the roof vent.
- Match the windows throughout the entire residence.
- Bring a color sample to the Planning Commission meeting.

The designer resubmitted plans that reflected the recommendations of the Architectural Review

Committee's suggestions in 2003 and that were approved at the July 15, 2003 meeting and are included in this application.

PROJECT ANALYSIS:

This proposal is before the Planning Commission to obtain approval of a Use Permit to allow the expansion of the existing house that would increase the existing floor area by 67% and where the 2nd story front plane would not be setback five feet further than the front setback of the first story.

*Pursuant to the City's Zoning Code, the Commission shall grant the Use Permit if it makes the following findings (required findings are in **bold** followed by staff's analysis of the project's merits and whether the finding can be made):*

- 1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use.**

With the condition that the applicant obtain a building permit prior to construction, the addition will be constructed according to the Uniform Building Code and therefore will not be detrimental to the health, safety and general welfare of the persons residing in the neighborhood. The proposed family room would be constructed 6'-6" from the east side property line and the second floor addition would be built atop this new side setback on the east side of the property. The west side of the property is not to be changed with this proposal and the building setback will remain at over 50'-0" from the property line.

While the second story setback does not meet the minimum 5'-0" setback requirement from the first plane on the left portion (3'-0"), it does meet the setback for the right portion. The proposal is meant as an architectural feature and will not adversely affect any nearby properties. Therefore, the development will not be detrimental to the health and safety of the persons residing in the neighborhood.

- 2. The proposed development will not be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the city.**

The applicant is proposing a two-story ranch style home. The proposed addition generally complements the current neighborhood design, both in scale since it is nearby other two-story homes and with its architectural features such as a front porch and offsetting second story front facade. Additionally, the use is consistent with the permitted uses of a single-family residential district neighborhood. On-street parking in the neighborhood area should not be negatively impacted since the applicant is proposing to re-construct a two-car garage to meet the property's off-street parking code requirements. The applicant will also have a two-car wide driveway, which will provide additional off-street parking space for the residence.

The proposed addition is an investment in the property and by its conformance to a majority of the regulations as set forth in the Zoning Ordinance and is an improvement to the existing structure. Therefore, the addition will not be detrimental to improvements in the neighborhood or to the general welfare of the city.

3. The proposed development will be consistent with the general plan.

Goal 3 of the City's 1984 General Plan states "encourage public and private development which is aesthetically sensitive to the surrounding environment and is of the highest quality design and construction." The addition has been designed to incorporate architectural details into the proposed structure which add some interest to the building. The existing building is in a relatively deteriorated condition and the new front porch with entry way and new second story should be a dramatic improvement to the home.

Furthermore, Residential Policy 1 states "protect the residential character of existing neighborhoods". The two-story ranch style home, with stucco finish and decorative trim is similar in style to other homes found in the immediate neighborhood. This addition should be consistent with the general plan policy.

The San Bruno General Plan designates the property as low-density residential district and the proposed addition to the single-family structure is consistent with this residential general plan designation. The home's design will continue to accommodate a single family only and no portion is intended as a second unit. Future establishment of a second dwelling unit on the property would require Planning Division review.

4. The proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood.

The proposed structure will not unreasonably restrict or interfere with light and air on the properties in the neighborhood since the structure will maintain required setback distances from the east and west property lines, as well as remaining well below the maximum height limit of 28 feet. The roof design incorporates a gabled 5 and 12 hipped roof pitch, which should not create significant shadow on adjacent properties.

The proposed structure is similar in size and scale with the two-story residences found nearby the project and should not discourage the use of any property in the nearby area.

5. That the general appearance of the proposed building, structure, or grounds will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood.

The character of the addition will be consistent with the scale and design of the other homes in the immediate neighborhood and is generally pleasing in its architectural style. The first and second story addition proposes to match the existing contemporary home's stucco exterior. The new second level will also incorporate a decorative trim band and a varied front façade by stepping back the right portion of the second story. The second story proposed would be setback 3'-0" on the front left side and 5'-0" on the front right side. The varied rooflines and proposed windows break up the elevation.

The proposed residence will be an improvement not only to the subject property but will also have a beneficial impact on the modest and well-maintained neighborhood, which is comprised of ranch style homes. On-street parking in the area should not be negatively impacted given this proposal provides the required parking.

6. The proposed expansion complies with applicable off-street parking standards of the zoning ordinance.

The subject property has a two car garage that shall remain with this project. A two-car wide driveway will provide additional off-street parking space. Therefore, all off-street parking standards will be met with the given proposal.

PUBLIC COMMENTS

None were submitted prior to the Public Hearing.

RECOMMENDATION

Based on the above analysis and Findings of Fact 1-6 below, staff recommends approval of Use Permit 06-029 subject to Conditions of Approval 1-16 below.

FINDINGS OF FACT

1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use as the new addition will require the applicant to obtain a building permit that complies with the Uniform Building Code and, required set backs are met.
2. The proposed development will not be injurious to the neighborhood or to the City as a whole as it generally complements the current neighborhood design, both in scale and with its architectural features and is consistent with other homes found in the neighborhood.
3. The proposed development will be consistent with the general plan, since the proposed development meets the general plan designation of low-density residential for the subject property. Any establishment of a second dwelling unit on the property would require Planning Division review and approval.
4. The proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property or other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood, since the structure maintains larger side setbacks than the minimum required by code.
5. The general appearance of the proposed architectural design will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood since this addition has been designed with appropriate articulation and fenestrations.

6. The proposed expansion has provided an attached two-car garage which complies with applicable off-street parking standards of the zoning ordinance.

CONDITIONS FOR APPROVAL

Community Development Department – (650) 616-7074

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 06-029 shall not be valid for any purpose. Use Permit 06-029 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for a Use Permit for an addition shall be built according to plans approved by the Planning Commission on October 17, 2006, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit. The rental of a room does not qualify as a secondary dwelling unit. Any attempt to construct an illegal dwelling unit will result in Code Enforcement action by the City.
7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
8. There shall be no fence within the front setback that measures higher than 3'-0" above grade.

Department of Public Works – (650) 616-7065

9. No fence, retaining wall, or other permanent structure to be placed within 4'-6" from back of sidewalk. S.B.M.C. 8.08.010

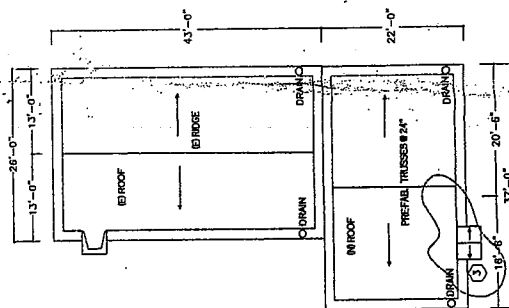
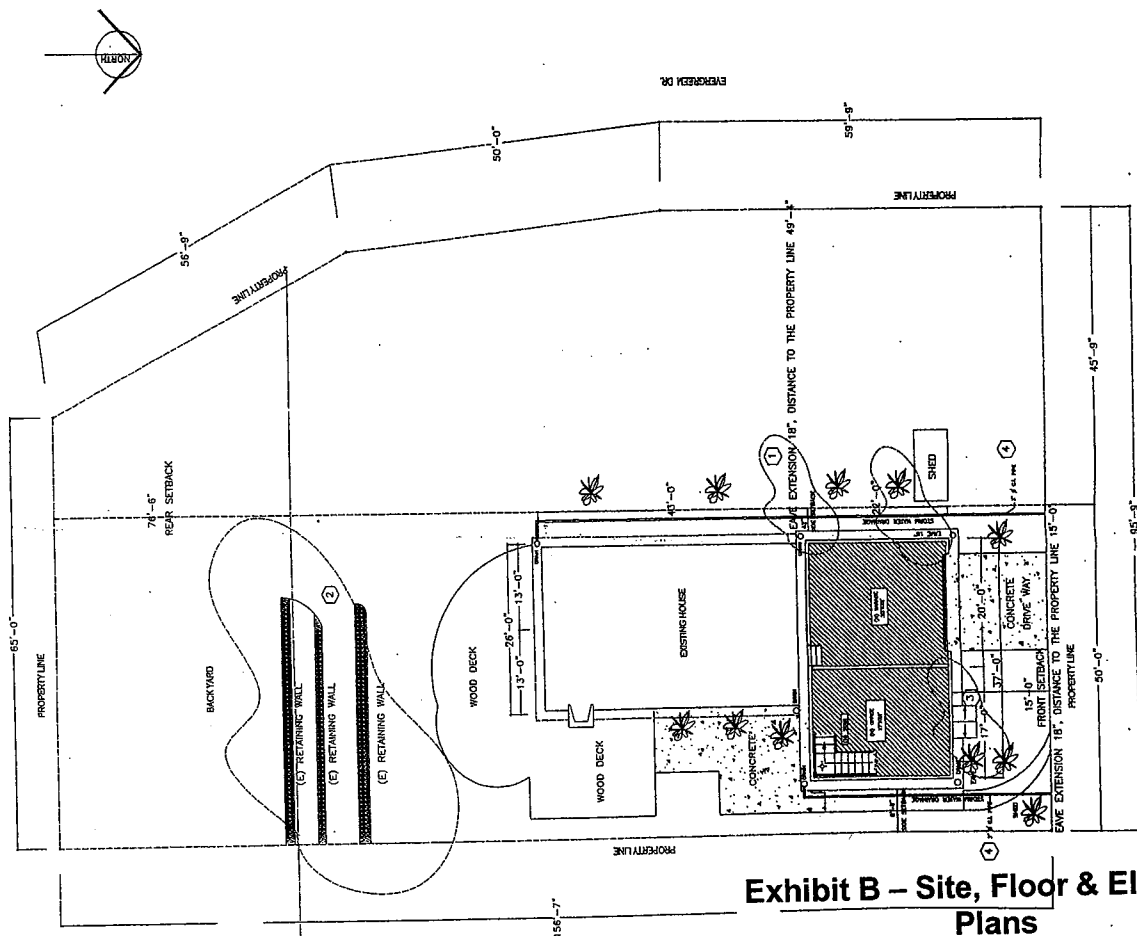
10. Install a sanitary sewer lateral clean out at property line per City standards details SS-01.
11. Storm water from new and existing roof down-spouts, shall be collected and drained to an underground storm water system or through an undersidewalk curb drain to the gutter per City standards detail SI-03. Chapter 11, UPC 1101.1. Fifty percent permitted to drain to landscape allowed.
12. Planting of one 36-inch box size approved tree or payment of \$540.00 each to the in-lieu replacement tree fund. S.B.M.C. 8.24.060

Fire Department – (650) 616-7096

13. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
14. Provide spark arrestor for chimney.
15. Provide hardwired smoke detectors with battery backup to all bedrooms and hallways.
16. The project must comply with all future Fire Department conditions, as required during the plan check review by the Building and Safety Department.

Submitted on October 6, 2006:

Tony Rozzi
Assistant Planner



SHEET INDEX

ARCHITECTURE	
SHEET A-1	COVER SHEET, SITE PLAN & VERTICAL PLAN
SHEET A-2	EXISTING FIRST FLOOR PROPOSED FIRST FLOOR
SHEET A-3	PROPOSED LEFT ELEVATION PROPOSED RIGHT ELEVATION
SHEET A-4	PROPOSED REAR ELEVATION ELECTRIC PLAN & SECTION & DETAIL
SHEET A-5	CROSS SECTIONS & TYPICAL DETAILS, TYPICAL SECTIONS
SHEET S-1	FOUNDATION, FRAMING & ROOF PLANS
SHEET S-2	T-24 - ENERGY

SCOPE OF WORK

ADDITION OF ONE OFFICE & NEW
2 CAR GARAGE ON FIRST FLOOR .
ADDITION OF TWO BEDROOM & ONE
BATHROOM ON SECOND FLOOR .
(E) TWO CAR GARAGE ON FRONT
TO BE REPLACE FOR THE (N) GARAGE

NOTES:

BLOCK: 16 LOT: 32

ZONING: R-3

OCCUPANCY/USE: ONE DWELLING UNIT

CONSTRUCTION TYPE : SN

DATA:

LOT AREA : 14,082 SQ. FT.

(E) FOOTING SQ. FT. : 1,370 Sq.Ft.

ADDITION FOOTING SQ. FT. : 1,188 Sq.

TOTAL FOOTING SQ. FT. : 2,758 Sq.Ft.

(N) TWO CAR GARAGE: 440 SQ. FT.

NOTES

ALL CONSTRUCTION SHALL COMPLY WITH:

CALIFORNIA BUILDING CODE (CBC): 2001

CALIFORNIA PLUMBING CODE (CPC): 2001

CALIFORNIA ELECTRIC CODE (CEC) 2001

CALIFORNIA MECHANICAL CODE (CMC) 2001

SAN BRUNO MUNICIPAL CODE (SBMC)

CITY OF SAN BRUNO

COMMUNITY DEVELOPMENT DEPARTMENT



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Angelo Bologna, *Redevelopment Intern*
Tanya Sullins, *Department Secretary*
Pamela Thompson, *City Attorney*

PLANNING COMMISSION

Kevin Chase, *Chair*
Perry Petersen, *Vice Chair*
Mary Lou Johnson
Bob Marshall, Jr.
Joe Sammut
Robert Schindler
Mark Tobin

PLANNING COMMISSION STAFF REPORT AGENDA ITEM NO.5 July 15, 2003

PROJECT LOCATION

1. Address: 2061 Willow Way
2. Assessor's Parcel No.: 017 094 020
3. Zoning District: R-1 (Single-Family Residential)
4. General Plan Classification: Low Density Residential

EXHIBITS

A: Location Map B: Elevations, Floor Plans, Site Plan, Sections

REQUEST

Request for a Use Permit for a single story addition, which would increase the existing floor area by more than 50% and where the 2nd story front plane would not be setback five feet further than the front setback of the first story, per Section 12.200.030.B.1 & 12.200.010(B)(2) of the San Bruno Zoning Ordinance. Sergio Galmanez (designer) -- Iris Vasquez (owner/applicant) **UP-03-17**

RECOMMENDATION

Staff recommends that the Planning Commission **approve** Use Permit 03-17 based on Findings of Fact (1-8) and Conditions of Approval (1-12).

REVIEWING AGENCIES

Community Development Department

Public Works Department

AREA DESCRIPTION

North: Evergreen Drive – R-1 (Single Family Residential District); single-family dwellings
South: Cottonwood Drive– R-1 (Single Family Residential District); single-family dwellings
East: Oakmont Drive– R-1 (Single Family Residential District); single-family dwellings
West: Fleetwood Drive– R-1 (Single Family Residential District); single-family dwellings

LEGAL NOTICE

1. Advertisement published in the *San Bruno Herald*, Saturday, July 5, 2003.
2. Notices of Public Hearing mailed to owners of property within 300 feet on July 3, 2003.

ENVIRONMENTAL ASSESSMENT

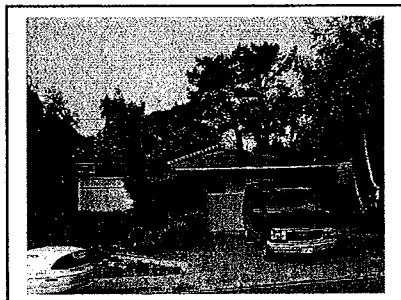
This project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor Expansions to Existing Facilities.

Exhibit C

SITE CONDITIONS		ZONING REQUIREMENTS	EXISTING CONDITIONS	PROPOSED CONDITIONS
Land Use		Single-family residence	Same	Same
Lot Area		5,000 sq.ft.	14,082 sq. ft. 8,308 sq. ft. (adjusted)	Same
Lot Coverage		3,655 sq. ft. (44%) based on 8,308 sq. ft. lot	1,644 sq. ft. (19.7%)	2,018 sq. ft. (24%)
Gross Floor Area		4,569 sq. ft.	1,644 sq. ft.	2,746 sq. ft. (440 sq. ft garage)
Floor Area Ratio		.55	.197 based on 8,308 sq. ft. lot	.33 based on 8,308 sq. ft. lot
Building Setbacks	Front	15'	15'	23'6"
	Rear	10'	76'6"	same
	Sides	5 feet	50'5" (W), 19'(E)	50'5" (W), 8'(E)
Building Height		28 feet	14.5 feet	23.5 feet
Covered Parking		2 covered spaces	2 car garage	2 car garage

EXISTING CONDITIONS

The subject property is a rather large lot located on Willow Way just south of Evergreen Drive. Currently there is a 10' locked fence the prevents anyone from accessing the front door, a condition of approval has been added that addresses this issue. The existing home is 1,644 square feet which includes a two car a garage.



- 14,082 sq. ft. lot (sloped in rear)
- No Front Door (enter through 10' locked side gate)
- Existing Two Car Garage
- Built in 1955

PROJECT DESCRIPTION

BREAKDOWN OF PROPOSED & EXISTING SQUARE FOOTAGES

	Downstairs	Upstairs	Garage	Total
Existing:	1,130	x	440	1,570
Proposed:	341	847	x	1,188
Total:	1,471	847	440	2,758

ARCHITECTURAL REVIEW COMMITTEE

The Architectural Review Committee first reviewed this application at its May 15, 2003 meeting and had a number of problems/concerns with the application. The problems ranged from interior circulation concerns to design issues. After the meeting the designer made several significant revisions to the proposal to comply with

the ARC's suggestions. The Architectural Review Committee again reviewed the project at its June 12, 2003 meeting and forwarded the application to the Planning Commission with the following recommendations:

- Change the shape of the roof vent.
- Match the windows throughout the entire residence.
- Bring a color sample to the Planning Commission meeting.

Since that time, the designer has submitted plans that reflect the recommendations of the Architectural Review Committee; a color sample will also be presented at the Planning Commission meeting.

ADDITIONAL INFORMATION

- **Accessory Structures:** There is a small tool shed located in the side yard. Although no building permit was ever issued for this structure, this shed appears to be less than 120 sq. ft., therefore no building permit is necessary and the shed may remain on the property.
- **Code Enforcement:** This property has had no known code enforcement cases against it.
- **Easements:** Per the subdivision maps on file in the Public Work Department, there are no known easements on the subject property.
- **Heritage Trees:** There are several heritage tree on site, however none would be affected by this project.
- **Previous additions or alterations:** There have been no major renovations to the home since its original construction.
- **Surrounding Neighborhood:** The surrounding neighborhood consists of both single story and two story single family dwellings.

PROJECT ANALYSIS

This proposal requires a use permit for two reasons:

- Greater than 50% expansion
- The front plane of the second story is not set back more than 5' from the front plane of the first story.

Regarding the greater than 50% expansion, the applicant is proposing a relatively large addition to a small home. While the home would be expand by approximately 75% if this proposal were approved and constructed, the FAR would still be well below the .55 FAR guideline. Furthermore, there are no neighbors to the north and west, and the affect on the neighbor to the south would be minimal.

Regarding the 5' setback, the 2nd story would be setback 3' from the front plane of the first story. In addition, the applicant is adding bay windows in an attempt to break up the elevation. Moreover, the pitch of the roof helps to blend the 2nd story into the 1st story.

With the above being said, Staff supports the use permit request because the addition will benefit the City and the surrounding neighborhood through investment in the property and by its conformance to many of the

regulations as set forth in the Zoning Ordinance. The proposed addition will be an improvement to the existing structure and the upgrades to the property should have a beneficial impact on surrounding property values. Based on the above stated reasons, Staff recommends approval of the project based on the findings and subject to the conditions as listed below.

FINDINGS FOR APPROVAL

1. Proper notice of the public hearing was given by legal notice published in the San Bruno Herald, Saturday, July 5, 2003, and notices were mailed to property owners within 300 feet of the project site on July 3, 2003.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
4. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.
5. The general appearance of the proposed addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the design and materials will match the existing structure and the proportions of the house are similar to other houses in the neighborhood.
6. The proposed addition will not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
7. The construction of the addition is consistent with the San Bruno General Plan, which designates the property for low-density residential purposes.
8. The off-street parking will be adequate for the residence.

CONDITIONS FOR APPROVAL

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 03-17 shall not be valid for any purpose. UP 03-10 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The request for a Use Permit for first and second story addition to an existing dwelling shall be built according to plans approved by the Planning Commission on July 5, 2003, labeled Exhibit A except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
3. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not

exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.

4. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
5. The residence and garage shall be used only as a single-family residential dwelling unit. No portion of the residence or garage shall be rented out as a secondary residential dwelling unit.
6. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
7. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
8. All exterior materials and roofing materials shall match, and shall be consistent with colors submitted to the Planning Commission.

Department of Public Works - (650) 616-7065

9. Install a sanitary sewer cleanout at the property line.
10. Storm water from new addition and garage roof downspouts and other on-site drainage shall be collected and drained to an underground storm water drainage system or through a curb drain to the gutter.
11. No fence or retaining wall shall be built within 4.5' from the back of the sidewalk.
12. There shall be no fence that exceeds 6' in height located on the subject property.

Date of Preparation: July 10, 2003
Prepared by: Aaron Akin, AICP
Associate Planner

15. Paint house number or curb near driveway approach.
16. Applicant must remove and replace existing driveway.

5. 2061 Willow Way

Request for a Use Permit for a single story addition, which would increase the existing floor area by more than 50% and where the 2nd story front plane would not be setback five feet further than the front setback of the first story, per Section 12.200.030.B.1 & 12.200.010(B)(2) of the San Bruno Zoning Ordinance. Sergio Galmanez (designer) -- Iris Vasquez (owner/applicant)

Associate Planner Aknin entered staff report. Staff recommends that the Planning Commission **approve** Use Permit 03-17 based on Findings of Fact (1-8) and Conditions of Approval (1-12).

Applicant and owner Ms. Vasquez was present to answer any questions. Vice Chair Petersen asked if she agreed with the conditions of approval. She stated that she did. She also submitted color samples for house. Vice Chair Petersen complimented the applicant on the improvements made from the previous Architectural Review meeting.

Public Hearing Opened
N/A

Public Hearing Closed

Motion Tobin /Second Johnson to **approve** Use Permit 03-17 based on Findings of Fact (1-8) and Conditions of Approval (1-12).

VOTE:	6-0-0
AYES:	6
NOES:	0
ABSTAIN:	0

(Chair Chase advised of the 10-day appeal period.)

FINDINGS FOR APPROVAL

1. Proper notice of the public hearing was given by legal notice published in the San Bruno Herald, Saturday, July 5, 2003, and notices were mailed to property owners within 300 feet of the project site on July 3, 2003.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
4. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.
5. The general appearance of the proposed addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the design and materials will match the existing structure and the proportions of the house are similar to other houses in the neighborhood.

6. The proposed addition will not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
7. The construction of the addition is consistent with the San Bruno General Plan, which designates the property for low-density residential purposes.
8. The off-street parking will be adequate for the residence.

CONDITIONS FOR APPROVAL

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 03-17 shall not be valid for any purpose. UP 03-10 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The request for a Use Permit for first and second story addition to an existing dwelling shall be built according to plans approved by the Planning Commission on July 5, 2003, labeled Exhibit A except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
3. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
4. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
5. The residence and garage shall be used only as a single-family residential dwelling unit. No portion of the residence or garage shall be rented out as a secondary residential dwelling unit.
6. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
7. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
8. All exterior materials and roofing materials shall match, and shall be consistent with colors submitted to the Planning Commission.

Department of Public Works - (650) 616-7065

9. Install a sanitary sewer cleanout at the property line.
10. Storm water from new addition and garage roof downspouts and other on-site drainage shall be collected and drained to an underground storm water drainage system or through a curb drain to the gutter.
11. No fence or retaining wall shall be built within 4.5' from the back of the sidewalk.

12. There shall be no fence that exceeds 6' in height located on the subject property.

6. 130 Elmwood Court

Request for a Use Permit for a 1st and 2nd story addition, which would increase the existing floor area by more than 50%, would exceed the .55 floor area ratio guideline, and would exceed 2,800 sq. ft. with only two covered spaces, per Section 12.200.030.B.1, 12.200.030.B.2, 12.200.080(A)(3) of the San Bruno Zoning Ordinance. Eric & Anne-Marie Jimenez (applicant & owner)

Planning Intern Bologna requested that the Planning Commission continue this application to the August 19, 2003 Planning Commission. The applicant is not prepared.

Public Hearing Opened

N/A

Public Hearing Closed

Motion Johnson /Second Petersen to continue this application to the August 19, 2003 Planning Commission meeting.

VOTE:	6-0-0
AYES:	4
NOES:	0
ABSTAIN:	0

7. 3220 Longview Drive

Request for a Use Permit for a 1,179 square foot addition, which would increase the existing floor area by more than 50%; per Section 12.200.030.B.1 of the San Bruno Zoning Ordinance; Mr. and Mrs. Michael Anderson, owners; Ken Ibarra, architect.

Associate Planner Aknin entered staff report. Staff recommends that the Planning Commission **approve** Use Permit 03-20 based on Findings of Fact (1-8) and Conditions of Approval (1-11).

Applicant Mr. Anderson was present to answer questions. Vice Chair Petersen asked if applicant agreed with the conditions of approval. Applicant stated that he did.

Public Hearing Opened

N/A

Public Hearing Closed

Motion Petersen/Second Marshall to approve Use Permit 03-20 based on Findings of Fact (1-8) and Conditions of Approval (1-11).

VOTE:	6-0-0
AYES:	6
NOES:	0
ABSTAIN:	0

(Chair Chase advised of the 10-day appeal period.)

FINDINGS FOR APPROVAL

1. Proper notice of the public hearing was given by legal notice published in the San Bruno Herald, Saturday, July 5, 2003, and notices were mailed to property owners within 300 feet of the project site on July 3, 2003.

CITY OF SAN BRUNO

COMMUNITY DEVELOPMENT DEPARTMENT



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Tony Rozzi, *Assistant Planner*
Lisa Costa Sanders, *Contract Planner*
Margaret Netto, *Contract Planner*
Pamela Thompson, *City Attorney*

PLANNING COMMISSION

Sujendra Mishra, *Chair*
Rick Biasotti, *Vice Chair*
Kevin Chase
Mary Lou Johnson
Bob Marshall, Jr.
Perry Petersen
Joe Sammut

**PLANNING COMMISSION
STAFF REPORT
AGENDA ITEM NO. E5
October 17, 2006**

PROJECT LOCATION

1. Address: 373 Taylor Avenue
2. Assessor's Parcel No: 020-372-070
3. Zoning District: R-2 (Low Density Residential)
4. General Plan Classification: Low Density Residential
5. Project is located in the San Bruno Redevelopment Project Area

EXHIBITS

- A:** Site Location
B: Site Plan, Floor Plan and Elevations
C: Survey of Record
D: San Mateo County Assessor Record
E: Staff Report for previously approved projects (UP-04-01; V-04-01; PE-04-04)
F: Staff rendering of proposed setbacks between the properties at 363, 373 and 381 Taylor Avenue

REQUEST

Request for a Variance to allow left and right side yard setbacks of 2'-2" and 0'-1" respectively, per Section 12.124.010.B of the San Bruno Zoning Ordinance. Xiao Yun Chen (Owner/ Applicant). **V-06-02**

RECOMMENDATION

Staff recommends that the Planning Commission **approve** Variance 06-02 based on Findings of Fact (1-3) and Conditions of Approval (1-22).

REVIEWING AGENCIES

Community Development Department
Public Works Department
Fire Department

REQUIRED LEGAL NOTICE

1. Notices of Public Hearing mailed to owners of property within 300 feet on September 8, 2006.
2. Advertisement published in the *San Mateo Daily Journal*, Saturday, September 9, 2006.

ENVIRONMENTAL ASSESSMENT

This project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines

Class 1, Section 15301: No Expansion to Existing Facilities.

EXISTING CONDITIONS

The subject property is located in the Cupid's Row section of San Bruno Park 3rd Addition, mid-block on Taylor Avenue. It is a substandard (because it is less than the standard 5, 000 s.f.), 1,839 square foot parcel. The subject lot is irregularly shaped with measurements of 25 feet wide in the front and narrowing to 20.79 feet in the rear. The lot is 80 feet deep (please see attached Survey of Record – Exhibit C). The previous building has been razed and construction of the foundation began in September 2005.

SURROUNDING LAND USES

North: Martin Place – R-2 (Low Density Residential)
South: Kensington Avenue – R-2 (Low Density Residential)
East: Florida Avenue – R-2 (Low Density Residential)
West: Mastick Avenue - R-2 (Low Density Residential)

PROJECT DESCRIPTION

This proposal is back before the Planning Commission due to an error in the parcel's lot dimensions, which was discovered by a City of San Bruno building inspector during the foundation inspection. For the application for a front yard setback variance of 9'-0", use permit and parking exception in July of 2004, the applicant submitted a parcel map that showed the property dimensions as 25'-0" wide and 80'-0" long. County records indicated the same measurements.

A three-bedroom, three-bathroom home was approved at the July 20, 2004 Planning Commission hearing (See Exhibit E). The survey of record (See Exhibit C) shows that the property lines narrow to less than 25 feet at the rear of the property (20.79 ft). Therefore, the approved project cannot be built and an additional variance is requested by the applicant. The 2004 approved project proposed 3'-0" side setbacks per minimum zoning requirements. The new variance request is for side setbacks of 2'-2" for the east side and 0'-1" on the west side, essentially building the home up to the western property line at the rear third of the lot.

This project was continued from the August 15, 2006 hearing after staff received a complaint from the east side neighbor at 363 Taylor Avenue concerning the proposed side setback. After speaking to that neighbor and meeting with the neighbor at 381 Taylor (adjacent to the west), staff made recommendations to the applicant that maintain the existing floor plan of the home without compromising emergency access between homes.

Currently, the properties to the east and west of the subject property have nonconforming side yard setbacks. The eastern property has a less than 0'-6" side setback adjacent to the subject property and the western neighbor has a 2'-6" side setback adjacent to the subject property. With the proposal at 373 Taylor Avenue, each side of the home would now have adequate emergency access and prevent two homes from sharing a zero setback on each side of the property line (See Exhibit F). If approved, there would be access to the rear of the property through the proposed 2'-2" eastern (left) side setback at 373 Taylor Avenue or through the 2'-6" side setback on the eastern side yard of 381 Taylor Avenue. The applicant has revised the floor plan, eliminating a bedroom on the second

level because of inadequate egress due to the substandard western side setback. That room will become an office with a skylight.

The table below summarizes and compares the zoning guidelines with the existing and proposed conditions, given the new lot dimensions:

SITE CONDITIONS		ZONING REQUIREMENTS	EXISTING CONDITIONS	PROPOSED CONDITIONS
Land Use		Low Density residence	Single-Family Residence	Same
Lot Area		5,000 sq.ft.	Actual: 1,838.5 sq. ft. Adjusted: 2,206 sq. ft. *	Same
Lot Coverage		1,213 sq. ft. (55%) (% based on 2,206 sq. ft. lot)	528 sq. ft. (24%) (% based on 2,206 sq. ft. lot)	1,273 sq. ft. (58%) (% based on 2,206 sq. ft. lot)
Gross Floor Area		1,213 sq. ft.	528 sq. ft.	2,161 sq. ft.
Floor Area Ratio		.55	.24	.98
Building Setbacks	Front	15'-0"	9'	9'
	Rear	10'-0"	45'	10' (from house) 4' (from 2nd story deck)
	R Side L Side	3'-0"	8'10" (R) 1'2" (L)	0'-1" (West) 2'-2" (East)
Building Height		28' (above sidewalk)	n/a	25'
Covered Parking		2 covered spaces	No garage	2 car garage (tandem parking)

Proposed conditions that require a variance are in bold

* Lots under 5,000 sq. ft. in R districts are substandard lots per Section 12.80.290.H.1 of the San Bruno Zoning Ordinance. For substandard lots up to 2,500 sq. ft., there is an adjustment factor of 1.2 for the purpose of calculating the lot coverage and floor area ratio per Section 12.200.050.A and B.

ARCHITECTURAL REVIEW COMMITTEE

None required given the request is for a Variance to a previously approved project, whose architectural design has not changed.

ADDITIONAL INFORMATION

- **Accessory Structures**: This property has no pending accessory structures.
- **Code Enforcement**: This property has no pending code enforcement cases on file.
- **Easements**: Per the subdivision maps on file in the Public Work Department there are no easements on site.
- **Heritage Trees**: This property has no heritage trees.

- **Previous additions or alterations:** There are no previous alterations or additions on file.

PROJECT ANALYSIS

While the property is 25'-0" at the front property line, the rear property line decreases in width to 20'-9" in the rear. At the point where the proposed building ends, which measures 19'-0" wide, the property is 21'-2" wide. This leaves 2'-2" of setback, which would be almost entirely on the east (left) side of the proposed building. The western (right) building side setback would start at 1'-6" and decrease to 1'-0" at the halfway point of the property (40') until it narrows to approximately 0'-1", ten feet from the rear property line. The rear setback remains at 10'-0". The lot now has a revised area of 1,839 square feet, reduced from the 2,000 square foot lot as reviewed in 2004.

While the subsequent lot coverage and floor area ratio calculations have changed due to the now smaller property dimensions, the home proposal remains the same size as approved at the 2004 Planning Commission hearing. This application will therefore focus solely on the variance permit request.

Because both of the side setbacks now fail to meet the required 3'-0" setback a variance request to the Planning Commission is required. Staff finds this is one of the unique circumstances where findings for a variance can be made, since the property now faces an even more significant size disadvantage relative to other homes.

Pursuant to the City's Zoning Code, the Commission shall grant the variance permit if it makes the following findings (required findings are in **bold** followed by staff's analysis):

1. That because of special circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, the strict application of this article will deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.

While the subject property has a depth of 80'-0", the standard lot in San Bruno has a depth of 100'. Additionally, while the standard lot width is 50'-0" in San Bruno, the subject property measures 25'-0" at the front and 20'-9" in the rear. The narrowing configuration of the parcel is unique within the City of San Bruno, and is not found within recent subdivisions. The existing parcel was subdivided in 1905, prior to current setback, parking, and building and safety requirements. The eastern and western side yard setback variance will allow a typical, modern home to be built onsite while still meeting the current parking requirements via a two-car tandem garage. The current design will also allow the Police and Fire Departments to access the property through the left side setback in the event of an emergency.

The applicant is proposing to construct a 2,161 square foot two-bedroom, three-bathroom home with a two-car garage that is a typical size for new homes in San Bruno. A burden is placed on the property owner because of the small size and narrow width of the parcel. In order to build an adequately sized single family home and to meet the code requirement to provide two covered parking spaces, the parking configuration must be for tandem parking, causing the home design to push back to the minimum 10'-0" rear setback. At that location, with a home that is 19'-0" wide, the

property lines narrow dramatically from the front of the property. It would be very difficult to build a home of average proportions and also meet the required 3'-0" side setbacks on both sides, given that the property width is 21'-2" at the end of the proposed home. Given the current configuration of the property, neither side of the proposed home will meet the required 3'-0' setback. Staff finds that the current proposal, which has eliminated one of the previously approved bedrooms due to the inadequate setbacks, will allow the property to be developed in a practical manner and also meet the zoning code to the fullest extent possible under the existing lot constraints.

2. That the variance granted should be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of a special privilege inconsistent with the limitations upon other properties in the vicinity and district in which the subject property is located.

Staff finds that in this particular case, strictly applying the side setback requirements would put undue hardship on the development of the property. Since the property is more shallow and narrow than the average lot length and width and the lot is substantially smaller than the minimum required by the Zoning Code, the strict application of the side setback requirement would deprive the subject property of privileges enjoyed by other properties in the vicinity. Other similarly configured properties typically receive the same privilege to create adequately sized living spaces that are consistent with the architecture and scale of their neighborhood. Referring to the attached County Assessor Document (Exhibit D), the properties at 449, 431, 435, 381 and 363 Taylor Avenue all have substandard side setbacks. The most compelling evidence for similar limitations on other properties in the area comes from Exhibit D, which indicates that many homes fail to meet one or more minimum setback requirements. Staff finds that approving the proposal at 373 Taylor, which will fail to meet the required 3'-0" side setbacks on the eastern and western sides, will not grant a special privilege given how many existing homes in the neighborhood also have substandard setbacks.

Additionally, because the size of the home and bedrooms within the home are typical of residences in the City of San Bruno, the granting of the Variance will not constitute a grant of a special privilege inconsistent with the limitations upon other properties in the vicinity. Therefore, approving this variance request would not grant the applicant a special privilege.

PUBLIC COMMENTS

Staff has spoken to the eastern (363 Taylor) and western (381 Taylor) side neighbors, who would be affected by the reversal of setbacks per the new proposal. The previous submittal was opposed by the neighbor at 363 Taylor, since they also shared an almost zero side setback with the 373 Taylor property. With this new proposal, the 363 Taylor property has less issue with the project. Staff met with the neighbors at 381 Taylor (directly to the west of the subject property) and they are not in support of the project given how close the proposal will come to their side property line.

FINDINGS OF FACT

1. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.
2. The lot is substantially smaller than the minimum required by the City's Development Code and is

uniquely shallow and narrow for the neighborhood, therefore the strict application of the setback requirement will deprive the subject property of privileges enjoyed by other properties in the vicinity.

3. Because redesigning the proposed home's floor plan to meet the required setback would make the use of the lower level bedroom and master suite impractical, the granting of the Variance will not constitute a grant of a special privilege inconsistent with the limitations upon other properties in the vicinity.

CONDITIONS FOR APPROVAL

Community Development Department - (650) 616-7074

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Variance 06-002 shall not be valid for any purpose. Variance 06-002 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for Variance 06-002 for the new home shall be built according to plans approved by the Planning Commission on October 17, 2006, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit. The rental of a room does not qualify as a secondary dwelling unit. Any attempt to construct an illegal dwelling unit will result in Code Enforcement action by the City.
7. The garage shall be used for the storage of motor vehicles or it shall remain empty. No area of the garage shall otherwise be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
8. Applicant shall construct a temporary and permanent property line fence between subject property and 381 Taylor Avenue at applicant's expense. The permanent fence shall be 6'-0" high and be of a high quality wooden material and also have an additional 2'-0" of wooden trellis, if allowed by zoning

ordinance at the time of construction. Applicant shall submit a fencing plan to Planning Division staff and property owners at 381 Taylor Avenue for approval prior to Planning Division final inspection.

9. Due to the proximity of proposed construction, Applicant shall remove any construction related debris and clean the adjacent building sides and other applicable area of 363 and 381 Taylor Avenue with a high-pressure water based system prior to Planning Division final inspection. This shall be done to the satisfaction of Planning Division staff in consultation with the property owners at 363 and 381 Taylor Avenue.

Public Works Department – (650) 616-7065

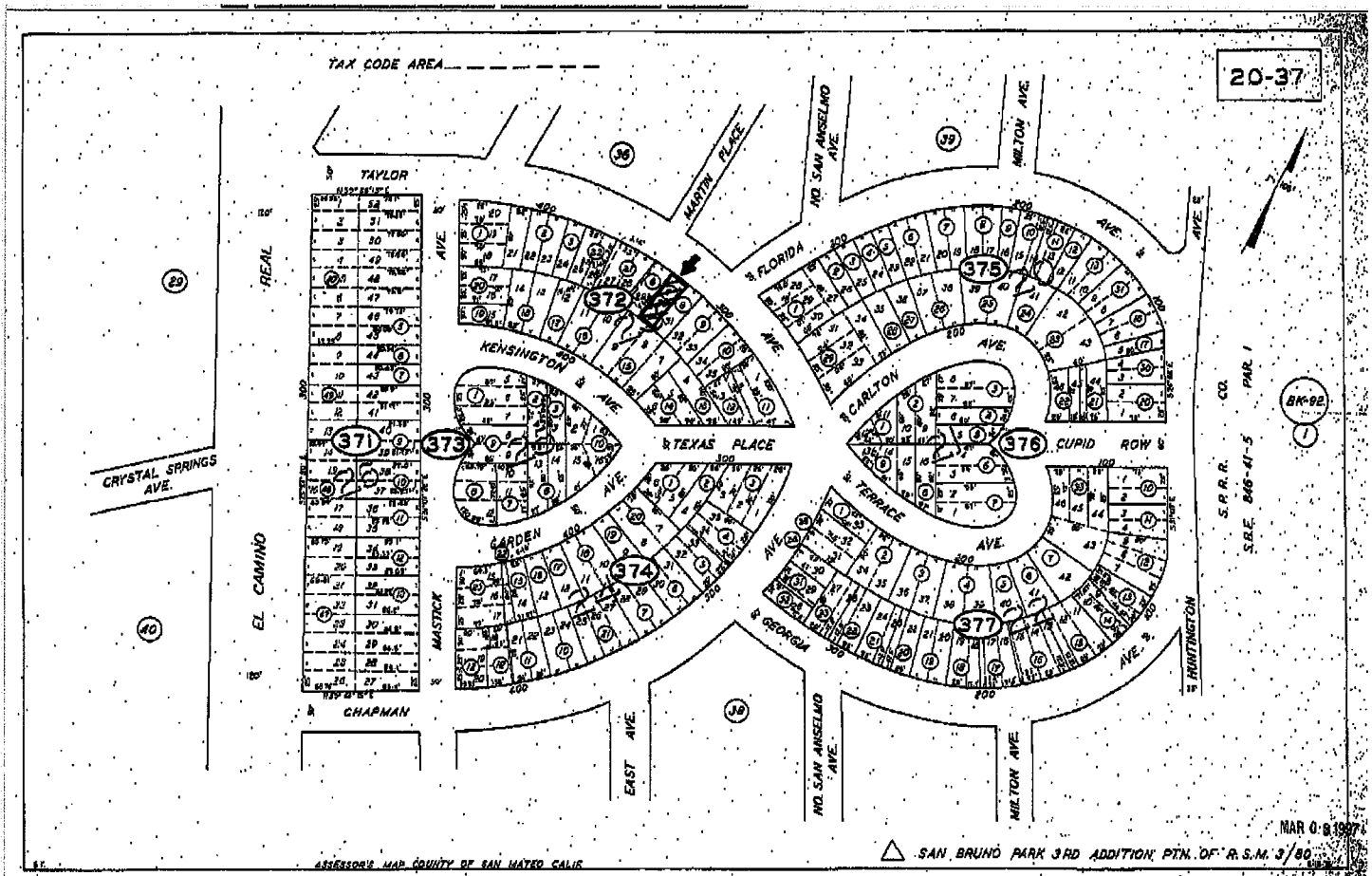
10. No fence, retaining wall, or other permanent structure to be placed within 2'-0" from back of sidewalk. S.B.M.C. 8.08.010
11. Encroachment Permit from Engineering Department required prior to work. S.B.M.C. 8.16.010
12. Install a sanitary sewer lateral clean-out at property line per City standards detail SS-01.
13. Paint address number on face of curb near driveway approach. Black lettering on white background.
14. Replace all broken or raised concrete in sidewalk or driveway approach as marked. S.B.M.C. 8.12.010. Marking shall take place under Building Review.
15. Erosion control plan and storm water pollution plan required. Must show existing storm drain inlets and other storm water collection locations protect by silt screens or silt fence. Work shall conform with the current NPDES requirements. S.B.M.C. 12.16.020
16. Storm water from new and existing roof down-spouts, shall be collected and drained to an underground storm water system or through an undersidewalk curb drain to the gutter per City standards detail SI-03. Chapter 11, UPC 1101.1.
17. Remove weeds and grass from sidewalk, curb and gutter. Prune other plantings in the right-of-way. S.B.M.C. 8.24.140/150/180.
18. Planting of one (1) 36-inch box size approved tree or payment of \$540.00 each to the in-lieu replacement tree fund. S.B.M.C. 8.24.060

Fire Department - (650) 616-7096

19. Provide hardwired smoke detectors with battery backup to all bedrooms and corridors/hallways.
20. Provide NFPA 13D Fire Sprinkler System as per San Bruno Municipal Code Section 11.24.070 Article 1003.2.1, an automatic fire sprinkler system shall be installed in all new occupancies.
21. Provide a water flow alarm using an exterior rated horn/strobe, visible from street. Delay the alarm 45 to 60 seconds.

22. Obtain a Fire Sprinkler Permit.

Date of Preparation: October 6, 2006
Prepared by: Tony Rozzi
Assistant Planner



373 Taylor Avenue
020-372-070
V-06-002

Exhibit A – Site Location



REVISIONS	BY
10/6/06	

PROPOSE NEW BUILDING
AT 373-TAYLOR AVE.
SAN BRUNO, CA

FRONT ELEVATION
RIGHT ELEVATION
LEFT ELEVATION

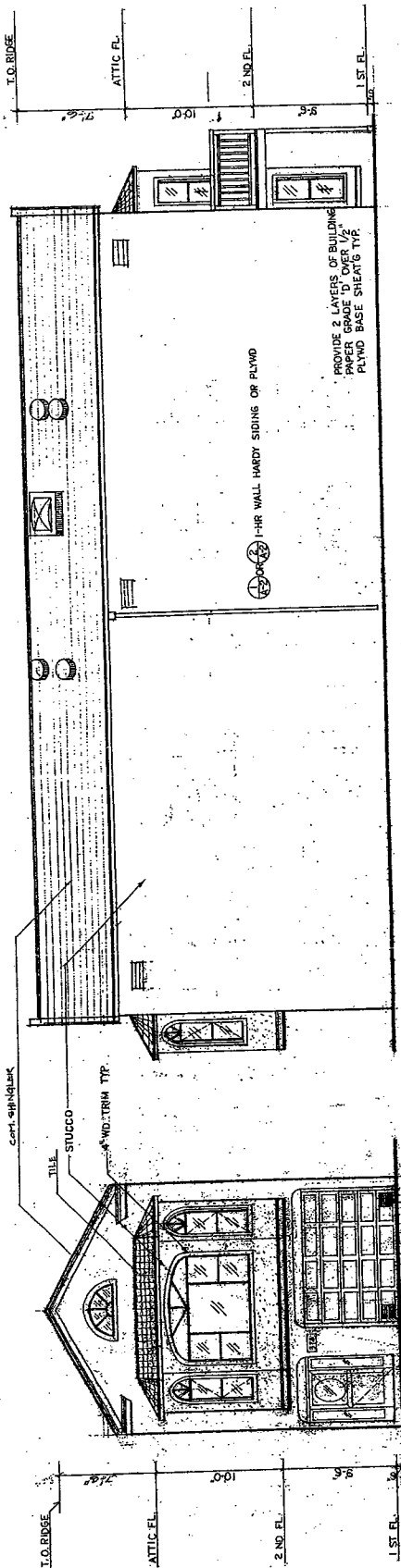
FRONT ELEVATION
RIGHT ELEVATION
LEFT ELEVATION

LIU ASSOCIATES
10000 S. 10TH AVE.
SUITE 100
MILWAUKEE, WI 53227
(414) 351-1111
FAX (414) 351-1115

DATE	BY	DATE	BY
MAY 05	AS SHOWN		

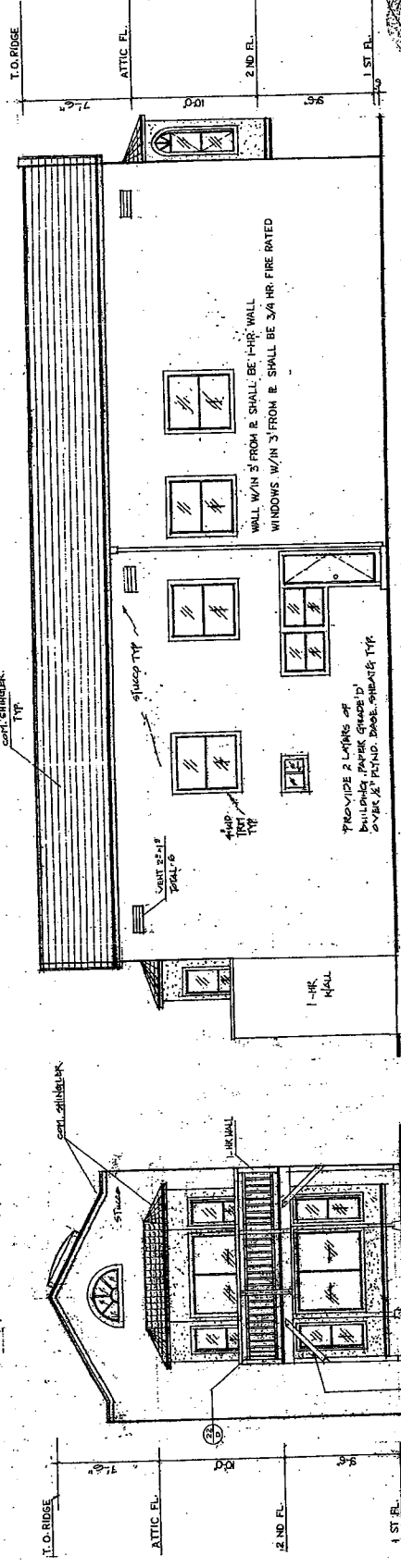
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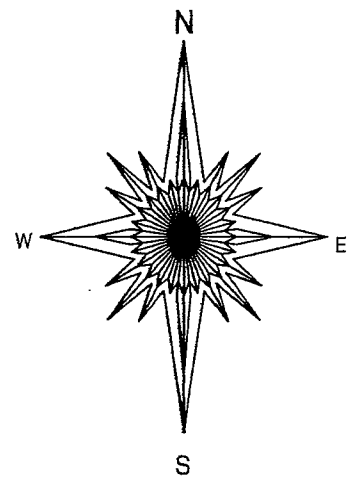
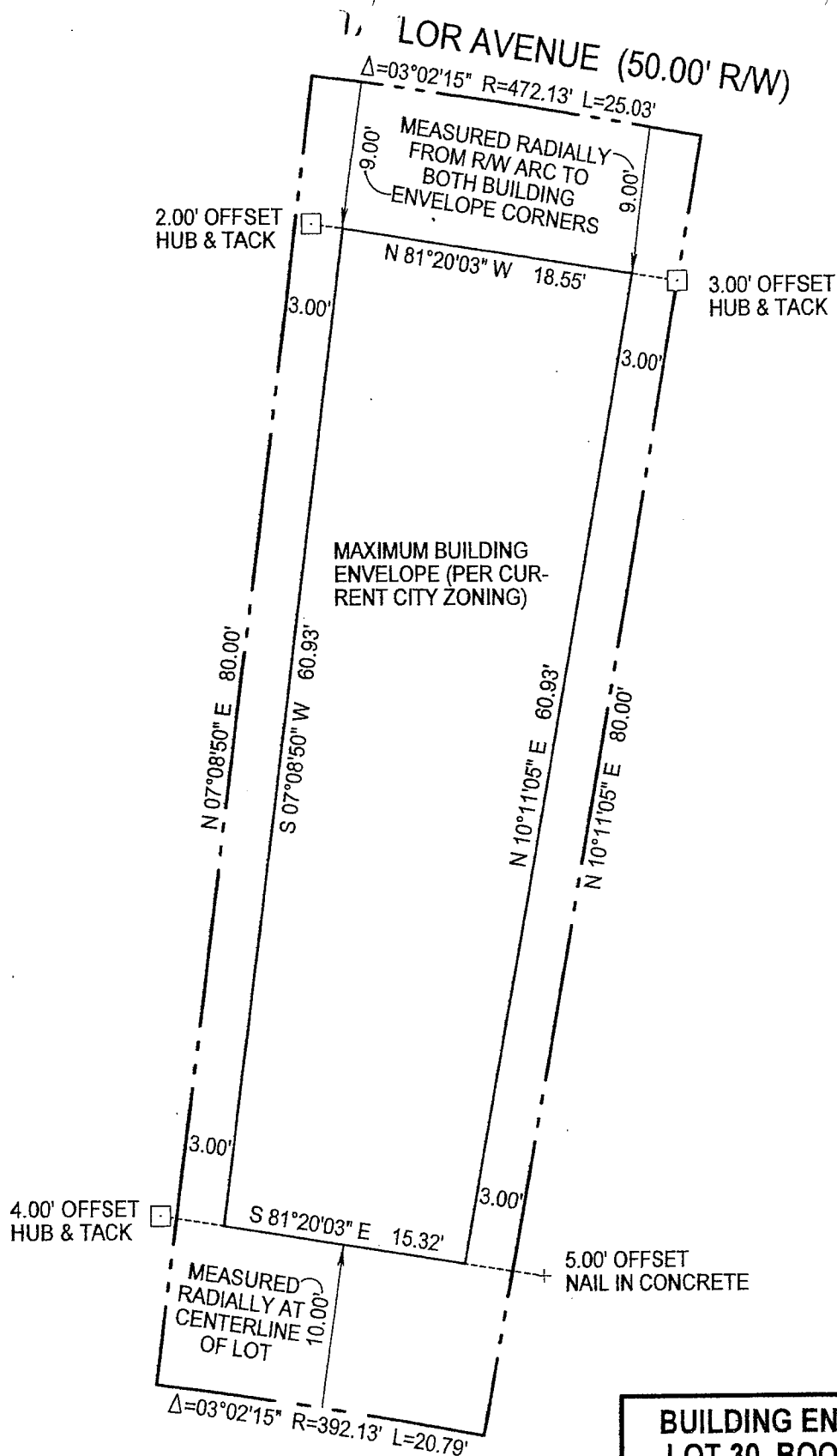
FRONT ELEVATION
1/2\"/>

Address markings must be at least four (4) inches in height of a contrasting color to the background and must be legible and permanent.



LEFT ELEVATION
1/2\"/>

LEFT ELEVATION
1/2\"/>



1"=10'

Rogers
12/31/06

Exhibit C

WESTERN PACIFIC BOUNDARY & SURVEYING
P.O. BOX 2442, REDWOOD CITY, CA 94064-2442
650.787.1878/650.363.8930 fax/ survleg@att.net

BUILDING ENVELOPE STAKING EXHIBIT
LOT 30, BOOK E OF MAPS, AT PAGE 72
(SAN MATEO COUNTY RECORDS)
A.P.N.: 020-372-070; COMMONLY KNOWN AS
373 TAYLOR AVENUE, SAN BRUNO, CALIF.
BOUNDARY CONTROL IS FROM BOOK 15 OF
LICENSED LAND SURVEYS, AT PAGE 125
(SAN MATEO COUNTY RECORDS)
DATE OF SURVEY: MAY 30, 2006

CITY OF SAN BRUNO

COMMUNITY DEVELOPMENT DEPARTMENT



567 El Camino Real
San Bruno, CA 94066
Voice: (650) 616-7074
Fax: (650) 873-6749
<http://www.ci.sanbruno.ca.us>

STAFF

Tom Williams, *Community Development Director*
Mark Sullivan, *Housing and Redevelopment Manager*
Aaron Aknin, *AICP, Associate Planner*
Tanya Sullins, *Department Secretary*
Pamela Thompson, *City Attorney*

PLANNING COMMISSION

Perry Petersen, *Chair*
Joe Sammut, *Vice-Chair*
Kevin Chase
Mary Lou Johnson
Bob Marshall, Jr.
Robert Schindler
Mark Tobin

**PLANNING COMMISSION
STAFF REPORT
AGENDA ITEM NO. 4
July 20, 2004**

PROJECT LOCATION

1. Address: 373 Taylor Avenue
2. Assessor's Parcel No: 020-372-070
3. Zoning District: R-2 (Low Density Residential)
4. General Plan Classification: Low Density Residential
5. Project is located in the San Bruno Redevelopment Project Area

EXHIBITS

A: Site Location **B:** Site Plan, Floor Plans, and Elevations

REQUEST

Request for a use permit, parking exception and variance to allow construction of a new house that would exceed the .55 FAR guideline, exceed the lot coverage guideline, have a second story whose front plane is not setback five feet from the first story, encroach into the required front yard setback, and proposes tandem parking; per Section 12.200.030.A.1, 12.200.030.A.2, 12.200.040.B.2, 12.96.070.D.4, and 12.200.080.C, of the San Bruno Zoning Ordinance –Jia Yuan Wang, owner; Eddy Cheung (Applicant/Designer); **UP-04-01; VA-04-01; PE-04-04.**

RECOMMENDATION

Staff recommends that the Planning Commission **approve** Use Permit 04-01, Variance 04-01 & Parking Exception 04-04, based on Findings of Fact (1-10) and Conditions of Approval (1-17).

REVIEWING AGENCIES

Community Development Department
Public Works Department
Fire Department

AREA DESCRIPTION

North: Martin Place – R-2 (Low Density Residential)
South: Kensington Avenue – R-2 (Low Density Residential)
East: Florida Avenue – R-2 (Low Density Residential)
West: Mastick Avenue - R-2 (Low Density Residential)

LEGAL NOTICE

1. Advertisement published in the *San Mateo Times*, Saturday, July 10, 2004.
2. Notices of Public Hearing mailed to owners of property within 300 feet on July 9, 2004.

Exhibit E

ENVIRONMENTAL ASSESSMENT

This project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15332: In-fill Development Projects.

SITE CONDITIONS		ZONING REQUIREMENTS	EXISTING CONDITIONS	PROPOSED CONDITIONS
Land Use		Single-family residence	Single-Family Residence	Same
Lot Area		5,000 sq.ft.	Actual: 2,000 sq. ft. Adjusted: 2,400 sq. ft. *	Same
Lot Coverage		1,056 sq. ft. (44%) (% based on 2,400 sq. ft. lot)	528 sq. ft. (22%) (% based on 2,400 sq. ft. lot)	1,273 sq. ft. (53%) (% based on 2,400 sq. ft. lot)
Gross Floor Area		1,320 sq. ft.	528 sq. ft.	2,161 sq. ft.
Floor Area Ratio		.55	.22	.90
Building Setbacks	Front	15'	9'	9'
	Rear	10'	45'	10' (from house) 4' (from 2nd story deck)
	Sides	3'	1'2" (L) 8'10" (R)	3'
Building Height		28' (above sidewalk)	n/a	25'
Covered Parking		2 covered spaces	No garage	2 car garage (tandem parking)

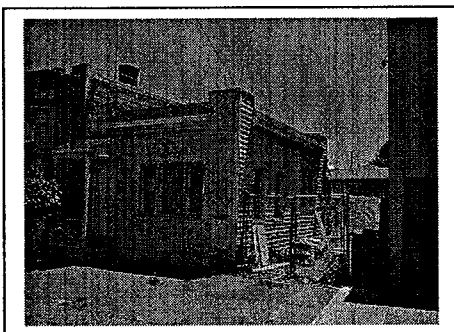
Proposed conditions that require a variance or use permit are in bold.

* Lots under 5,000 sq. ft. in R districts are substandard lots per Section 12.80.290.H.1 of the San Bruno Zoning Ordinance. For substandard lots up to 2,500 sq. ft., there is an adjustment factor of 1.2 for the purpose of calculating the lot coverage and floor area ratio per Section 12.200.050.A and B.

EXISTING CONDITIONS

The subject property is located in the Cupid's Row section of San Bruno Park 3rd Addition, midblock of Taylor Avenue. This substandard, 2,000 square foot parcel is currently developed with a one-story, 528 square foot home with no garage. The subject lot is 25 feet wide by 80 feet deep (please see attached parcel map).

In summary, the property currently consist of the following:



- ❖ 2,000 square foot lot (Adjusted Size: 2,400 square feet)
- ❖ One Story 528 sq. ft. home (48 sq. ft. accessory storage structure in rear)
- ❖ Lot depth of 80'.
- ❖ Mid-block lot within Cupid Row.

PROJECT DESCRIPTION

The applicant proposes to demolish the existing house and construct a new two-story house and garage. If approved and constructed this project would be a 2,161 sq. ft. house with two bedrooms, two bathrooms and a two-car garage with tandem parking.

ARCHITECTURAL REVIEW COMMITTEE

The Architectural Review Committee reviewed the project at its May 13, 2004 meeting and forwarded to the Planning Commission with a favorable recommendation stating the variance request seemed reasonable, and commenting that the applicant has made significant improvements to the scale and appearance of the home.

ADDITIONAL INFORMATION

- **Accessory Structures**: This property has no pending accessory structures.
- **Code Enforcement**: This property has no pending code enforcement cases on file.
- **Easements**: Per the subdivision maps on file in the Public Work Department there are no easements on site.
- **Heritage Trees**: This property has no heritage trees.
- **Previous additions or alterations**: There are no previous alterations or additions on file.

PROJECT ANALYSIS

This proposal is before the Planning Commission for three reasons, to obtain Planning Commission approval for a use permit, a variance and a parking exception to allow the construction of a new house.

Use Permit: the project requires a use permit because the applicant is proposing to construct a new house that exceeds the .55 FAR guideline, exceeds the lot coverage guidelines, and has a second story whose front plane is not setback five from the first story. The project would not exceed any other guideline in Section 12.200 of the San Bruno Zoning Ordinance. The subject proposal calls for a 2,161 square foot home (including the garage),

Staff finds this proposal would not have any adverse impact on the surrounding property. In fact, by proposing to build a new home, the project will remove an obsolescent and substandard structure, and replace it with an attractive home that will enhance the appearance of the neighborhood and provide the required on-site parking. The existing 529 square foot home was built in 1939 and is not adequate for the needs of housing a family, and is currently in great need of repair. The applicant initially proposed to build a larger home, and following the recommendations of staff and the ARC committee, significantly reduced the scale to be more compatible with the surrounding houses.

Staff supports the use permit request because the addition will benefit the City and the surrounding neighborhood through investment in the property and by its conformance to a majority of the regulations as set forth in the Zoning Ordinance. The proposed new home will be an improvement over the existing structure and the upgrades to the property should have a beneficial impact on surrounding property values. Based on the above stated reasons, Staff supports the project.

Variance: the project requires a variance because the house would encroach into the required front setback. Staff finds this is one of the unique circumstances where findings for a variance can be made. Below are the two legal requirements that must be made in order to grant a variance, as well as the fact that supports the finding in this case:

Variance Legal Requirement (1): That because of special circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, the strict application of this article will deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.

Fact: While the subject property has a depth of 80', the standard lot in San Bruno has a depth of 100'. Due to the substandard lot depth, it would be unreasonable to require the applicant to have both a 15' front yard and 10' rear setback and two car garage. In addition, the proposed 9' front setback is the same as the setback of the existing structure and lines up with the adjacent houses. The proposed new home would not encroach any further into the rear setback, and would meet all other setback requirements.

Variance Legal Requirement (2): That the variance granted should be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of a special privilege inconsistent with the limitations upon other properties in the vicinity and district in which the subject property is located.

Fact: The applicant is proposing to construct a 2,161 square foot two-bedroom home with a two-car garage that is a typical size for new homes in San Bruno. A burden is placed on the property owner because of the small size and narrow width of the parcel. In order to build an adequately sized single family home and to meet the code requirement to provide two covered parking spaces, the parking configuration must be for tandem parking, causing the home design to exceed the front yard setback. Other similarly configured properties typically receive the same privilege to create adequately sized living spaces that are consistent with the architecture and scale of their neighborhood. Therefore, approving this variance request would not grant the applicant a special privilege.

Parking Exception: the project requires a parking exception because the applicant proposes to provide two-car tandem parking. The Planning Commission can grant a parking exception for tandem parking provided that the applicant demonstrates a hardship with the parking standard applied to the parcel in question. Staff believes that because of the narrow width the parcel (20'), side-by-side parking is be feasible, and in order to meet the requirement for two covered parking spaces for a two-bedroom dwelling, tandem parking is a reasonable solution. In addition, the single garage door with adjacent entryway creates a more pleasing front elevation design.

FINDINGS FOR APPROVAL

1. That because of the substandard depth of this lot, the strict application of this article will deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.
2. That the variance granted should be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of a special privilege inconsistent with the limitations upon other properties in the vicinity and district in which the subject property is located.
3. Proper notice of the public hearing was given by legal notice published in the San Mateo Times, Saturday, July 10, and notices were mailed to property owners within 300 feet of the project site on July 9, 2004.
4. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, and Chapter 12.132.
5. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
6. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15332: In-fill Development Projects.

7. The general appearance of the new home is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the design and materials will match the existing structure and the proportions of the house are similar to other houses in the neighborhood.
8. The proposed new home will not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
9. The construction of the new home is consistent with the San Bruno General Plan, which designates the property for low-density residential purposes.
10. The off-street parking will be adequate for the residence. This is achieved through a covered two car tandem parking garage and driveway area with curb cuts that can accommodate one vehicle.

CONDITIONS FOR APPROVAL

COMMUNITY DEVELOPMENT CONDITIONS (1-9):

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 04-01, Variance 04-01 and Parking Exception 04-04 shall not be valid for any purpose. Use Permit 04-01, Variance 04-01 and Parking Exception 04-04 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings
3. The request for a Use Permit, Variance and Parking Exception for a new home shall be built according to plans approved by the Planning Commission on July 20, 2004, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence and garage shall be used only as a single-family residential dwelling unit. No portion of the residence or garage shall be rented out as a secondary residential dwelling unit.
7. The garage shall be used for the storage of two (2) motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.

8. A landscape plan shall be submitted with the building division set of drawings. This landscape plan shall be approved by the Planning Division prior to issuance of a building permit. All landscaping shall be installed prior to final approval of the home.
9. No combustible construction within 3 feet of the property line unless fire rated.

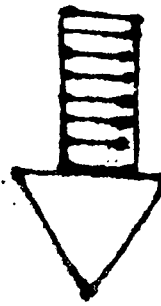
FIRE DEPARTMENT CONDITIONS (10-12)

10. Provide NFPA 13D fire sprinkler system throughout the entire residence to the satisfaction of the Fire Chief due to lack of fire access between buildings.
11. Provide hardwire smoke detectors that interconnect.
12. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.

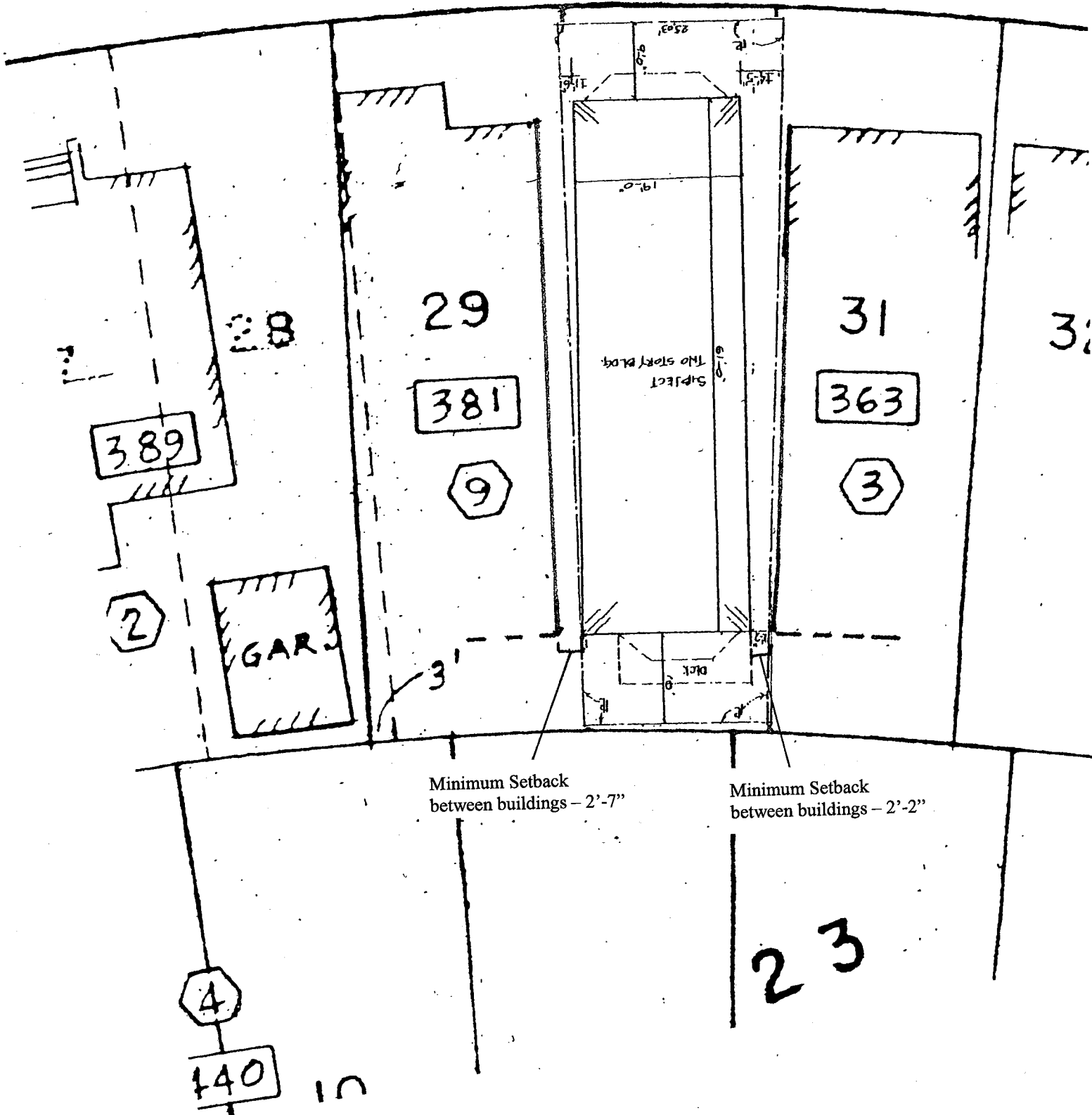
PUBLIC WORKS CONDITIONS (13-17)

13. An encroachment permit shall be obtained through the Public works Department prior to issuance of the Building Permit.
14. Install a sanitary sewer lateral clean-out per City standards.
15. Storm water from new roof downspouts and other on-site drainage shall be collected and drained to an underground storm water drainage system or through a curb drain to the gutter.
16. Replace all broken or raise concrete sidewalk or driveway approach as marked.
17. No fence, retaining wall, or other permanent structure shall be placed within 2.0' from the back of the sidewalk.

Date of Preparation: July 12, 2004
Prepared by: Mark Sullivan, AICP
Housing & Redevelopment Manager



AVE.



Minimum Setback
between buildings - 2'-7"

Minimum Setback
between buildings - 2'-2"



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STAFF

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PLANNING COMMISSION

Sujendra Mishra, *Chair*
Rick Biasotti, *Vice Chair*
Kevin Chase
Mary Lou Johnson
Bob Marshall, Jr.
Perry Petersen
Joe Sammut

**PLANNING COMMISSION
STAFF REPORT
AGENDA ITEM NO. E6
October 17, 2006**

PROJECT LOCATION

1. Address: 401 San Mateo Avenue
2. Assessor's Parcel No: 020-362-210
3. Zoning District: C- General Commercial Zoning District
4. General Plan Classification: Commercial

REQUEST

Request for a Use Permit to operate auto repair service in conjunction with an existing service station per Section 12.96.110 (C 10) of the San Bruno Zoning Ordinance. Stephen Ng (owner/applicant). **UP-06-22**

RECOMMENDATION

Staff recommends that the Planning Commission **continue** Use Permit 06-22 to a future Planning Commission hearing.

REQUIRED LEGAL NOTICE

1. Notices of Public Hearing mailed to owners of property within 300 feet on September 8, 2006.
2. Advertisement published in the *San Mateo Times*, Saturday, September 9, 2006.

ENVIRONMENTAL ASSESSMENT

This project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: No Expansion to Existing Facilities.

UPDATE

Staff is recommending this item be continued to allow for additional time for the applicant's architect to meet with staff and discuss other potential uses for the property.